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THE

REVOLUTIONARY DIPLOMATIC CORRESPONDENCE

OF THE

UNITED STATES.

EDITED UNDER DIRECTION OF CONGRESS

BY FRANCIS WHARTON,

WITH

PRELIMINARY INDEX, AND NOTES HISTORICAL AND LEGAL.

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CORRESPONDENCE.

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CORRESPONDENCE.

Franklin to Thomson,* Secretary of Congress.

LONDON, February 5, 1775.

DEAR SIR: I received duly your favours of November 1, by Captain Falconer, and afterwards that of October 26, both inclosing the letter from the Congress and the petition to the king. Immediately on receipt of the first I wrote to every one of the other gentlemen nominated and desired a meeting to consult on the mode of presenting the petition committed to our care. Three of them, viz: Mr. Burke, Mr. Wentworth,† and Mr. Life declined being concerned in it, and without consulting each other gave the same reason, viz: That they had no instructions relating to it from their constituents. Mr. Garth‡ was out of town; so it rested on Mr. Bollan, Mr. Lee, and myself.§ We took council with our best friends and were advised to present it through Lord Dartmouth, that being the regular official method and the only one in which we might on occasion call for an answer. We accordingly waited on his lordship with it, who would not immediately undertake to deliver it, but requested that it might be left with him to peruse, which was done. He found nothing in it improper for him to present, and afterwards sending for us he informed us that he had presented the petition to his majesty, who had been pleased to receive it very graciously and to command him to tell us it contained matters of such importance that as soon as they met he would lay it before his two houses of Parliament. We then consulted on the publication and were advised by wise and able men, friends of America whose names it will not be proper to mention, by no means to publish it till it should be before Parliament, as it would be deemed disrespectful to the king. We flattered ourselves from the answer given by Lord D— that the king would have been pleased to recommend it to the consideration of Parliament by some message, but we were mistaken. It came down among a great heap of letters of intelligence from governors and officers

* Collections of the New York Historical Society (1878), p. 25; 5 Bigelow's Franklin, 427.

† See Introduction, § 208.

‡ At the time agent for Maryland.

§ As to Lord North's contemptuous opinion of this petition, see 1 Hutchinson's Diary, 330; "Mr. Lee" is Arthur Lee, see index, Arthur Lee.

in America, newspapers, pamphlets, handbills, etc., from that country, the last in the list and laid upon the table with them, undistinguished by any particular recommendation of it to the notice of either house, and I do not find that it has had any farther notice taken of it as yet than that it has been read as well as the other papers. To draw it into the attention of the house we petitioned to be heard upon it, but were not permitted, and by the resolution of the committee of the whole house, which I inclose, you will see that it has made little impression; and from the constant refusal, neglect, or discouragement of American petitions these many years past, our country will at last be convinced that petitions are odious here, and that petitioning is far from being a probable means of redress. A firm, steady, and faithful adherence to the non-consumption agreement is the only thing to be depended on; it begins already to work (as you will see in the votes of the house) by producing applications from the merchants and manufacturers and it must finally lead Parliament into reasonable measures. At present the ministers are encouraged to proceed by the assurances they receive from America that the people are not unanimous; that a very great part of them disapprove the proceedings of the Congress and would break thro' them if there was in the country an army sufficient to support these friends, as they are called, of the government.* They rely, too, on being able to divide us still farther by various means, for they seem to have no conception that such a thing as public spirit or public virtue anywhere exists. I trust they will find themselves totally mistaken. The Congress is in high esteem here among all the friends of liberty, and their papers much admired. Perhaps nothing of the kind has ever been more thoroughly published or more universally read. Lord Camden spoke highly of the Americans in general, and of the Congress particularly, in the House of Lords. Lord Chatham said that taking the whole together and considering the members of the Congress as the unsolicited and unbiased choice of a great free and enlightened people, their unanimity, their moderation, and their wisdom, he thought it the most honorable assembly of men that had ever been known; that the histories of Greece and Rome gave us nothing equal to it. Lord Shelburne would not admit that the Parliament of Britain could be comparable with it, a parliament obeying the dictates of a ministry who in nine cases out of ten were governed by their under-secretaries.

You will see, among the papers herewith sent, the motion made by Lord Chatham as preparatory to his plan, viz: That the troops should be removed from Boston. I send also a copy of the plan itself which you may be assured is genuine. The speeches hitherto published as his during the session are spurious.

The Duke of Richmond and the Duke of Manchester appeared for us also in the debate and spoke extremely well. Lord Chatham's bill,

* See Introduction, § 28.

tho' on so important a subject and offered by so great a character, and supported by such able and learned speakers as Camden, etc., was treated with as much contempt as they could have shown to a ballad offered by a drunken porter. It was rejected on a slight reading without being suffered even to lie on the table for the perusal of the members. The House of Commons, too, have shown an equal rashness and precipitation in matters that required the most weighty deliberation, refusing to hear, and entering hastily into violent measures. And yet this is the government by whose supreme authority we are to have our throats cut if we do not acknowledge, and whose dictates we are implicitly to obey, while their conduct hardly entitles them to common respect.

The agents have not time to make so many copies of the papers sent with this, nor indeed of our letters to the speakers of the several assemblies as would be necessary to send one for each. We therefore send only two, one per Falconer and the other per Lawrence to New York, requesting that you would get them copied at Philadelphia and forward them northward and southward, one to each speaker, by the earliest conveyance.

It is thought by our friends that Lord Chatham's plan, if it had been enacted here, would have prevented present mischief and might have been the foundation of a lasting good agreement for tho' in some points it might not perfectly coincide with our ideas and wishes we might have proposed modifications or variations where we should judge them necessary, and in fine the two countries might have met in perfect union. I hope therefore it will be treated with respect by our writers and its author honored for the attempt, for though he has put some particulars into it as I think merely by way of complying a little with the general prejudices here to make more material parts go better down, yet, I am persuaded, he would not otherwise be tenacious of those parts, meaning sincerely to make us contented and happy as far as consistent with the general welfare.*

I need not caution you to let no part of this letter be copied or printed.

With great esteem I am, sir, your affectionate friend and humble servant,

BENJ. FRANKLIN.†

CH. THOMSON, Esq.‡

* See as to attitude at this time of British parties, Introduction, §§ 31, 32.

† The signature, it is stated by Mr. Bigelow, is not given in the original.

‡ Charles Thomson, secretary of the Continental Congress, to whom the above is addressed, was born in Ireland in 1729, and died in Lower Merion, Philadelphia. He came to Philadelphia when very young, was educated in the Friends' Academy, in that city, and retained in after years his attachment to the Society of Friends. His tastes were philosophical as well as political, which threw him into frequent intercourse with Franklin and Jefferson; and he was a staunch friend of Franklin in the controversies as to the dissension at Paris in 1778-'79. He was a member of the first federal house of representatives. Singularly simple in his tastes, and severe in his

FRANKLIN'S NARRATIVE OF NEGOTIATIONS IN LONDON.*

ON BOARD THE PENNSYLVANIA PACKET,
CAPTAIN OSBORNE (BOUND TO PHILADELPHIA),

March 22d, 1775.

DEAR SON: Having now a little leisure for writing I will endeavor, as I promised you, to recollect what particulars I can of the negotiations I have lately been concerned in with regard to the *misunderstandings between Great Britain and America.*

During the recess of the last Parliament, which had passed the severe acts against the Province of the Massachusetts Bay, the minority having been sensible of their weakness, as an effect of their want of union among themselves, began to think seriously of a coalition. For they saw in the violence of these American measures, if persisted in, a hazard of dismembering, weakening, and perhaps ruining the British Empire. This inclined some of them to propose such an union with each other as might be more respectable in the ensuing session, have more weight in opposition, and be a body out of which a new ministry might easily be formed, should the ill success of the late measures, and the firmness of the Colonies in resisting them, make a change appear necessary to the king.

I took some pains to promote this disposition in conversations with several of the principal among the minority of both houses, whom I besought and conjured most earnestly not to suffer, by their little misunderstandings, so glorious a fabric as the present British Empire to be demolished by these blunderers; and for their encouragement assured them, as far as my opinions could give any assurance, of the *firmness and unanimity* of America, the continuance of which was what they had frequent doubts of, and appeared extremely apprehensive and anxious concerning it.

From the time of the affront† given me at the council board in Jan-

morals, he was likened in these respects to Samuel Adams, from whom, however, he differed in political matters, Thomson being strongly attached both to Franklin and Jefferson. Some of Thomson's notes as secretary of Congress, together with portions of his correspondence, were published in the collections of the New York Historical Society for 1878.

As to the differences between Thomson and H. Laurens, see introduction, § 172.

* 5 Bigelow's Franklin, 440; 5 Sparks' Franklin, 2. This important paper was written, as is stated by Mr. Sparks, "immediately after the events, during the author's passage to America, in the form of a letter to his son. It was not published till many years after his death, having first appeared in William Temple Franklin's edition of his works."

† The "affront" was as follows: A correspondence of Hutchinson, royal governor of Massachusetts, showing a combination on his part with other Massachusetts loyalists forcibly to put down colonial liberty, was placed in Franklin's hands in 1772. Franklin felt it his duty, as it undoubtedly was, to communicate copies of this correspondence to certain of his friends in Massachusetts, placing them under restrictions, which he himself was under, as to publication. The substance of the correspondence, how-

uary, 1774, I had never attended the levee of any minister. I made no justification of myself from the charges brought against me; I made no return of the injury by abusing my adversaries; but held a cool, sullen silence, reserving myself to some future opportunity; for which

ever, became known, and a petition was sent by the Massachusetts assembly to the crown asking for the removal of Hutchinson and Oliver, the latter being chief-justice. The petition was heard on January 20, 1774; and Wedderburn, afterwards Lord Chancellor Loughborough, appeared in opposition to the petition, and availed himself of the opportunity to pour on Franklin, who was standing at the bar, a torrent of abuse which was as malignant as it was coarse. Turning to Franklin, whose philosophical attainments he ridiculed and whose political character he denounced, he pointed him out as a thief, to the delight of Sandwich and officials of his type, who signified their approval by loud and jeering laughter, in which even Gower, the president of the council, joined. Franklin listened apparently unmoved. It is said that eight years afterwards, when he signed the preliminaries of peace by which the independence of the United States was recognized, he wore the coat that he had on when insulted by Wedderburn. I endeavored, in the appendix to the second edition of my digest of international law, to show that this tradition is without foundation; and on its face it seems unlikely that a display so dramatic would have been made by Franklin, to whose nature dramatic or histrionic display was peculiarly foreign.

Lord Campbell (6 Lives of Lord Chancellors, 104) attaches extraordinary consequence to this affront. "I now come to his (Wedderburn's) memorable contest with Benjamin Franklin.

‘The babe that was unborn might rue
The speaking of that day.’

"It mainly conduced to the civil war which soon followed, and to the dismemberment of the empire, by exciting overweening arrogance on the one side, and rankling revenge on the other. Had Franklin been soothed instead of being insulted, America might have been saved. As yet, though eager for the redress of the wrongs of his transatlantic brethren, he professed, and I believe he felt, respect and kindness for the mother country, and a desire that all differences between them might be honorably adjusted. * * * A petition to the king was unanimously agreed to [in the Massachusetts assembly] praying for the recall of the lieutenant-governor and the chief-justice. This petition was very imprudently referred to a committee of the privy council, that its allegations might be openly discussed. The executive government ought quietly to have disposed of it either by refusing the prayer, or by transferring the parties complained against to some other sphere, where their services would be more available for the public good; but it was thought that a glorious opportunity had occurred of publicly inveighing against the colonists and of heaping codium on their champion. As the day for the hearing approached, public expectation was raised to a higher pitch than it had been by any juridical proceeding since the trial of Sacheverell. The scene was the council chamber at the cockpit, Whitehall. Thirty-five privy counselors attended, with Earl Gower, the lord president, at their head. Accommodation was made near the bar for Burke, Priestley, Jeremy Bentham, and distinguished strangers, and the adjoining rooms were crowded by an innumerable multitude who could only catch some distant murmurs of the vituperation, and inquire from time to time what was likely to be the result. We have from Jeremy Bentham, a curious description of the apartment and the appearance of him who was beheld of all beholders: 'The president's chair was with the back parallel to and not far distant from the fire; the chimney-piece, projecting a foot or two, formed a recess on each side. Alone in the recess, on the left hand of the president, stood Benjamin Franklin in such a position as not to be visible from the situation of

conduct I had several reasons not necessary here to specify. Now and then I heard it said, that the reasonable part of the administration was ashamed of the treatment they had given me. I suspected that some

the president, remaining the whole time like a rock in the same posture, his head resting on his left hand, and in that attitude abiding the pelting of the pitiless storm.' Dunning and Lee stood at the bar as counsel for the petitioners. Wedderburn, as solicitor-general, alone attended for the crown, or more properly speaking as assessor to the privy council. 'His station was between the seats of two of the members on the side of the right hand of the lord president.' * * * Wedderburn did not stand in need of the stimulus of a fierce attack; but came fully charged with venom which he had long been distilling." Large extracts from Wedderburn's speech are then given in which occur the following: "I hope, my lords, you will mark and brand the man for the honor of this country, of Europe, and of mankind. * * * I can compare him only to Zanga in Dr. Young's 'Revenge': 'Know, then, 'twas I, I forged the letter, I disposed the picture, I hated, I despised, and I destroy.' I ask, my lords, whether the revengeful temper attributed by poetic fiction only to the bloody-minded African is not surpassed by the coolness and apathy of this wily New Englander."

"The effect," continues Campbell, "of this invective upon the hearers was greater than almost anything we read in the history of English eloquence. Says Jeremy Bentham, 'without any prejudice in favor of the orator I was not more astonished at the brilliancy of his lightning than astounded by the thunder that accompanied it.' We can easily, conceive the delight of the assembled privy counselors, who had been selected and summoned on this occasion from their known hatred of the discontented Americans and their impatient desire to coerce them, but without very strong testimony we could not give credit of the stories circulated of their demeanor, considering they were sitting as judges and that at least the *affectation* of impartiality might have been expected from them. 'Nevertheless,' says Dr. Priestley, 'at the sallies of his sarcastic wit all the members of the council (the president himself, Lord Gower, not excepted) frequently laughed outright. No person belonging to the council behaved with decent gravity except Lord North, who, coming late, took his stand behind a chair opposite me.' Some accounts represent that they actually cheered him as if they had been listening to a spirited party speech in Parliament. Lord Shelburne, in a letter to Lord Chatham, writes: 'The indecency of their behavior exceeded, as is agreed on all hands, that of any committee of election;' and Charles Fox, in the debate on the renewal of the war in 1803, warning the house not to be led away by the delusive eloquence of Pitt, reminded them 'how all men tossed up their hats and clapped their hands in boundless delight at Mr. Wedderburn's speech against Dr. Franklin, without reckoning the cost it was to entail upon them.'

"Wedderburn," so Lord Campbell sums up his discussion of this epoch-making proceeding, "must be severely condemned for thus pandering to the low passions of his countrymen instead of honestly trying to enlighten them. So objectionable was this proceeding, which he probably prompted and in which he played the principal part, that Adolphus, the almost indiscriminate apologist of all the measures of George III's reign, is driven to confess that 'the character of the inquiry and the dignity of the tribunal to whose investigation it was submitted were not duly considered. Ministers, taught by experience, ought to have known the degradation which they must inevitably incur when they elevated an individual into the rank of a personal opponent. Dr. Franklin, who had recently completed his sixty-seventh year, who was known and honored in the most eminent philosophical and literary societies in Europe, sat, with his gray unadorned locks, a hearer of one of the severest invectives that ever proceeded from the tongue of man; and an observer of a boisterous merriment and exultation which added nothing to the dignity of his judges. He had sufficient self-command to suppress all display of feeling; but the transactions of the day sunk deeply into his mind and produced an inextinguishable rancor against this country which colored all the

who told me this, did it to draw from me my sentiments concerning it, and perhaps my purposes; but I said little or nothing upon the subject. In the mean time their measures with regard to New England failing

acts of his subsequent life and occasioned extensive and ever memorable consequences."

But it was not Wedderburn's vituperation which, standing by itself, produced this effect. Franklin could have borne this, had this been all, with the equanimity with which he bore the still more vituperative attacks of Arthur Lee and of Izard. It was the action of the government on the Massachusetts petition, of which Wedderburn's speech was merely an incident, which occasioned such "memorable consequences." That petition was perfectly proper and respectful. The Massachusetts assembly had ample evidence that Hutchinson and Oliver, royal governor and chief-justice, were bent on establishing what would have been virtually martial law in the commonwealth. The petition for the removal of these two functionaries was referred to a committee selected from those members of the privy council who had been most violent in contemptuous objurgations of America. The hearing was planned and carried on in such a way as to show the American people not only that they could not obtain justice from the mother country, but that when they asked for justice they would receive insult. The committee instantly, without deliberation, voted that the petition was "false, groundless, vexatious, and scandalous and calculated only for the seditious purpose of keeping up a spirit of clamor and discontent in the provinces." And this contemptuous decision was made at a hearing charged with such indecent and malignant contempt of colonial rights as to convince American patriots that they would receive from the British crown, when they applied for redress, not merely injustice but insult. (See Introduction, §§ 21, 23.)

Alexander Wedderburn was born in Edinburgh in February, 1733. In 1753 he moved to London, and in 1757 he was admitted to the English bar. His knowledge of Scotch law, as well as his marked forensic abilities, led to his employment in the great Douglass case in 1763, in which he greatly distinguished himself.

Attaching himself to Lord Bute, he entered Parliament in 1762 as a partisan of that minister; and then, after Bute's fall, sported himself for a while in opposition, taking ground in opposition to North's American policy. This, however, was but a temporary diversion, and in 1772 he formally "ratted" and was made solicitor-general by North. From this time he devoted himself to a vehement support of the war, accompanied by frequent indecorous vituperation of his former whig associates. He was employed, as will hereafter appear, on a confidential mission, in the summer of 1776, to Paris for the purpose of counteracting the growing friendly tendency of the French ministry towards America. A more unfortunate person could scarcely have been selected, since his attack on Franklin was regarded in Paris as singularly brutal, and his speeches in Parliament had been almost as insulting to France as to America. In 1778 he became attorney-general and in 1780 chief-justice of the common pleas, under the title of Lord Longborough; and on the formation of the North-Fox coalition ministry, he became first commissioner of the great seal. When Pitt came into power he went out of office, but was made chancellor by Pitt in 1793. This post he resigned in April, 1801, when he was created Earl of Roslyn. Without political principle, but gifted with plausible eloquence and great business tact, he managed to attain the highest position open to his profession, and to support himself in it, so far as his judicial action was concerned, with respectability. He died in January, 1805; and George III hearing of his death, said, "he has not left a greater knave behind him in my dominions." But Wedderburn, as his correspondence and speeches show, while a "knav," was not a "great knave," if to great knavery sagacity is essential; for, by his vituperative attacks on his opponents, when they were not able to defend themselves, he much enhanced the difficulties of his case. And it is one of the most discreditable features of George III's political career that he should have placed in the highest offices a man whose knavery he declared to be so great.

of the success that had been confidently expected, and finding themselves more and more embarrassed, they began, as it seems, to think of making use of me, if they could, to assist in disengaging them. But it was too humiliating to think of applying to me openly and directly, and therefore it was contrived to obtain what they could of my sentiments through others.

The accounts from America during the recess all manifested that the measures of administration had neither divided nor intimidated the people there; that, on the contrary, they were more and more united and determined; and that a non-importation agreement was likely to take place. The ministry thence apprehending that this, by distressing the trading and manufacturing towns, might influence votes against the court in the elections for a new Parliament (which were in course to come on the succeeding year), suddenly and unexpectedly dissolved the old one, and ordered the choice of a new one within the shortest time admitted by law, before the inconveniences of that agreement could begin to be felt or produce any such effect.

When I came to England in 1757, you may remember I made several attempts to be introduced to Lord Chatham* (at that time first minis-

* The distinctive position of Chatham and of Shelburne has been already noticed. (Introduction, § 32.) Whether, had Chatham lived, he would have supported the preliminaries of 1782 has been much discussed. He probably would have done so, in the then position of affairs, if the recognition of independence could have been made part of a system of commercial reciprocity. His love for America, and his dislike of France would have led him to give to the new empire all the Mississippi, and then, by establishing between it and England commercial reciprocity, to make the United States the chief feeder and the chief customer of England, in this way augmenting England's wealth to an extent which would never have been reached had that valley remained in Spanish hands. That Chatham may have taken this position we may infer from the fact that this was the position of his son, William Pitt, who supported the peace, and who introduced a bill for commercial reciprocity with the United States, making such reciprocity a part of the system of pacification. Chatham had great defects. He was fond of occasional theatrical display. He was jealous of associates who would be likely to interfere in the premises of war and of foreign affairs over which, as minister, he assumed control. His temper prevented him from gathering round him a body of political friends. He quarreled from time to time with his two brothers-in-law, Temple and George Grenville, though they had much with him in common, beside the link of their sister, Chatham's wife, who was a woman of much ability, and who did her best to keep up the family attachments. He would enter into no party alliance with the Rockingham whigs, though his principles and theirs were much the same, and though by such an alliance the tory ascendancy would have been broken. When he did form a ministry, on his last accession to power, it was not a cabinet of consulting and harmonizing statesmen, but a mere aggregation of heads of departments, each one of which was at liberty to go his own way, and who, from their great diversity of opinion, had no common policy. And then there is no question that during the greater part of this administration, he was insane.

Yet, with all this, he not only had a political genius superior to that of any man of his day, but an eloquence and enthusiasm which aroused for him almost constant popular admiration and support. His patriotism was vehement and haughty; but the object of its devotion was not the English soil but the English people, wherever

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ter), on account of my Pennsylvania business, but without success. He was then too great a man, or too much occupied in affairs of greater moment. I was therefore obliged to content myself with a kind of non-apparent and unacknowledged communication through Mr. Potter and Mr. Wood, his secretaries, who seemed to cultivate an acquaintance with me by their civilities, and drew from me what information I could give relative to the American war, with my sentiments occasionally on measures that were proposed or advised by others, which gave me the opportunity of recommending and enforcing the utility of conquering Canada. I afterwards considered Mr. Pitt as an *inaccessible*. I admired him at a distance, and made no more attempts for a nearer acquaintance. I had only once or twice the satisfaction of hearing through Lord Shelburne, and I think Lord Stanhope, that he did me the honor of mentioning me sometimes as a person of respectable character.

But towards the end of August last, returning from Brightelmstone, I called to visit my friend Mr. Sargent at his seat, Halsted in Kent, agreeable to a former engagement. He let me know that he had promised to conduct me to Lord Stanhope's at Chevening, who expected I would call on him when I came into that neighborhood. We accordingly waited on Lord Stanhope that evening, who told me Lord Chatham desired to see me, and that Mr. Sargent's house, where I was to lodge, being in the way, he would call for me there the next morning and carry me to Hayes. This was done accordingly. That truly great man received me with abundance of civility, inquired particularly into the situation of affairs in America, spoke feelingly of the severity of the late laws against the Massachusetts, gave me some account of his speech in opposing them, and expressed great regard and esteem for the people of that country, who he hoped would continue firm and united in defending by all peaceable and legal means their constitutional rights.

they might be. America to him was his country as much as England; part of it his genius had torn from France; the Englishmen who dwelt in the Anglican colonies he looked upon with peculiar love and pride, partly because they had aided him in his great Canadian victories, partly because the class of men in England who disparaged the colonies were the class of men whom he particularly despised; but perhaps chiefly because he regarded Englishmen in America as fighting not merely for their own liberty, but for the liberty of Englishmen in England. Among them he saw almost universally implanted a heroic love of liberty, which in England was then comparatively dormant. It was for this reason that while he declared that if he were in America he would never lay down his arms until the national grievances were redressed, he nevertheless summoned all his old eloquence to rouse England to continue the war as long as America was allied to France. Yet we can gather from this last speech that it was on France alone that he desired to concentrate the attack; and it is not inconsistent with his position to suppose that if he could have detached America from France he would have acceded to American independence, provided it was coupled with commercial reciprocity. But the alternative he most dreaded was the subjugation of Englishmen in America by royal arms, not only because he loved America, but because he believed that the liberty of Englishmen in England would be lost when that of Englishmen in America was destroyed. (See Introduction, § 22.)

I assured him, that I made no doubt they would do so; which he said he was pleased to hear from me, as he was sensible I must be well acquainted with them.

I then took occasion to remark to him, that in former cases, great empires had crumbled first at their extremities, from this cause; that countries remote from the seat and eye of government, which therefore could not well understand their affairs for want of full and true information, had never been well governed, but had been oppressed by bad governors, ou presumption that complaint was difficult to be made and supported against them at such a distance. Hence such governors had been encouraged to go on till their oppressions became intolerable. But that this empire had happily found, and long been in practice of, a method whereby every province was well governed, being trusted in a great measure with the government of itself; and that hence had arisen such satisfaction in the subjects, and such encouragement to new settlements, that, had it not been for the late wrong politics (which would have Parliament to be *omnipotent*, though it ought not to be so unless it could at the same time be *omniscient*), we might have gone on extending our western empire, adding province to province as far as the South Sea. That I lamented the ruin which seemed impending over so fine a plan, so well adapted to make all the subjects of the greatest empire happy; and I hoped that if his lordship, with the other great and wise men of the British nation, would unite and exert themselves it might yet be rescued out of the mangling hands of the present set of blundering ministers; and that the union and harmony between Britain and her Colonies, so necessary to the welfare of both, might be restored.

He replied, with great politeness, that my idea of extending our empire in that manner was a sound one, worthy of a great, benevolent, and comprehensive mind. He wished with me for a good understanding among the different parts of the opposition here, as a means of restoring the ancient harmony of the two countries, which he most earnestly desired; but he spoke of the coalition of our domestic parties, as attended with difficulty, and rather to be desired than expected. He mentioned an opinion prevailing here, that America aimed at setting up for itself as an *independent state*; or at least to get rid of the *navigation acts*. I assured him, that, having more than once traveled almost from one end of the continent to the other, and kept a great variety of company, eating, drinking, and conversing with them freely, I never had heard in any conversation from any person, drunk or sober, the least expression of a wish for a separation, or hint that such a thing would be advantageous to America. And as to the navigation act, the main, material part of it, that of carrying on trade in British or plantation bottoms, excluding foreign ships from our ports, and navigating with three-quarters British seamen, was as acceptable to us as it could be to Britain. That we were even not against regulations of the gen-

eral commerce by Parliament, provided such regulations were *bona fide* for the benefit of the *whole empire*, not for the small advantage of one part to the great injury of another, such as the obliging our ships to call in England with our wine and fruit from Portugal or Spain; the restraints on our manufactures in the woolen and hat-making branches, the prohibiting of slitting-mills, steel-works, etc. He allowed that some amendment might be made in those acts; but said those relating to the slitting-mills, trip-hammers, and steel-works were agreed to by our agents in a compromise on the opposition made here to abating the duty.

In fine, he expressed much satisfaction in my having called upon him, and particularly in the assurances I had given him that America did not aim at *independence*; adding that he should be glad to see me again as often as might be. I said I should not fail to avail myself of the permission he was pleased to give me of waiting upon his lordship occasionally, being very sensible of the honor and of the great advantages and improvement I should reap from his instructive conversation, which indeed was not a mere compliment.

The new Parliament was to meet the 29th of November, 1774. About the beginning of that month, being at the royal society, Mr. Raper, one of our members, told me there was a certain lady who had a desire of playing with me at chess, fancying she could beat me, and had requested him to bring me to her. It was, he said, a lady with whose acquaintance he was sure I should be pleased, a sister of Lord Howe's,* and he

* Mrs. Howe, the "Hon. Caroline Howe," appears to have been something of a politician. (7 Cunningham's Walpole, 80.) In a letter to the Miss Berrys, of Dec. 13-14, 1793 (9 *Id.*, 428), Walpole thus speaks of her: "If Lord Howe has disappointed you (in his failure shortly before to capture the French fleet) will you accept the prowess of the virago, his sister, Mrs. Howe? As soon as it was known that her brother had failed, a Jacobin mob broke her windows, mistaking them for his. She lifted up the sash and harangued them; told them that was not the house of her brother, who lives in the other part of Grafton street, and that she herself is a widow, and that *that* house is hers. She stilled the waves, and they dispersed quietly." But to this is appended the following note from the editor: "The Hon. Caroline Howe, married to John Howe, of Hanslop, Bucks. She died at her house, No. 12 Grafton street, 29th June, 1814, in her ninety-third year." Miss Berry adds the following: "A person of distinguished abilities. She possessed an extraordinary force of mind, clearness of understanding, and remarkable powers of thought and combination. She retained them unimpaired to the great age of eighty-five, by exercising them daily, both in the practice of mathematics and in reading the two dead languages, of which, late in life, she made herself mistress. To those acquirements must be added warm and lively feelings, joined to a perfect knowledge of the world and of the society of which she had always been a distinguished member. Mr. Walpole, from misinformation of her conduct towards a friend of his in earlier life, had never done justice to her character - a mistake in which she did not participate relative to him." (See further, Barrow's Life of Lord Howe, 88.)

Richard, Lord Howe, who was admiral of the British forces on the American coast in 1776, was born in 1725. He entered the navy when fourteen years of age, and served with much activity and gallantry in 1745, when he was engaged in a successful attack on a superior French force carrying provisions for the Pretender's use in

hoped I would not refuse the challenge. I said I had been long out of practice, but would wait upon the lady when he and she should think fit. He told me where her house was, and would have me call soon and without further introduction, which I undertook to do; but thinking it a little awkward, I postponed it, and on the 30th, meeting him again at the feast of the society election, being the day after the Parliament met, he put me in mind of my promise, and that I had not kept it, and would have me name a day when he said he would call for me and conduct me. I named the Friday following. He called accordingly. I went with him, played a few games with the lady, whom I found of very sensible conversation and pleasing behaviour, which in-

Scotland. In 1755 he was with Admiral Boscawen in the cruise on Newfoundland that was one of the precursors of the Seven-years' war, and in that war he achieved great distinction. At its close he was placed in the admiralty board, and in 1765, being still a commoner, he was elected to the House of Commons, and was made treasurer of the navy. He had shown much affection for America, and may, for this reason have been selected by Lord North as vice-admiral to command the British fleet on American waters, and to act as joint commissioner with his brother in the effort to obtain a reconciliation. His efforts in this line are narrated hereafter. Had he possessed full powers, a settlement, based on Chatham's plan of federation, might have been at least gravely considered on the American side. But he had no such powers, and this soon was known. The consequence was that his brother and himself, in their real kindly desire to effect a reconciliation which they had no power to carry through, felt more or less paralyzed in their military efforts. Aside from a natural kindness of temper, which led him to dwell with peculiar pleasure on the pacific side of his mission, the death of his brother George in 1758, when leading American troops at the siege of Ticonderoga, and the honor paid that brother in America, had made him look on Americans as friends and old comrades in arms. Of his naval achievements during the Revolution full notice is taken in the correspondence in the text. The principal event in that career was an encounter with the French fleet, under D'Estaing, off Rhode Island, in which the combatants were separated by a storm in which the vessels on both sides were much damaged. Lord Howe's services on the European coasts were far more effective, he having succeeded on being placed in charge of the British fleet off Gibraltar in 1782, in relieving the British garrison at that place, against great odds. In 1794 he gained a decided victory over the French fleet on the western coast of France. He died Aug. 5, 1799. In appearance dark and forbidding, bearing among sailors the name "Black Dick," he was truthful, brave, and fair and kindly, and there is no question that in the interviews reported in the text he was sincerely desirous of doing all he could to restore peace. To his brother George, who, as is stated, died at the siege of Ticonderoga in 1758, the Massachusetts assembly erected a monument at Westminster Abbey, expressive of their admiration for his merits and affection for his character.

Sir William (General) Howe, a younger brother, served under Wolfe in the campaign in Canada in 1759, and was commander-in-chief of the British forces in America from 1775 to 1778. He succeeded General Gage in Boston, in May, 1775, and after the evacuation of Boston, followed by a brief stay for the purpose of recruiting at Halifax, he reached Long Island, with his troops, early in August, 1776. His campaigns in New York and New Jersey are noticed in full in the letters which follow in the text. Since they were written, however, much light has been thrown on those campaigns by the discovery of the fact that General Charles Lee, when a prisoner of General Howe in 1779, gave full information to the Howes of the condition and prospects of the American army as far as he was able, and supplied them with a plan,

duced me to agree most readily to an appointment for another meeting a few days afterwards, though I had not the least apprehension that any political business could have any connection with this new acquaintance.

On the Thursday preceding this chess party, Mr. David Barclay called on me to have some discourse concerning the meeting of merchants to petition Parliament. When that was over he spoke of the dangerous situation of American affairs, the hazard that a civil war might be brought on by the present measures, and the great merit that person would have who could contrive some means of preventing so terrible a calamity and bring about a reconciliation. He was then

which they afterwards used, for attacking the American lines. (See note to letter of Franklin to Charles Lee, Feb. 11, 1776, *infra*.) How far this treason of General Lee had pervaded his prior American career we have now no information which would entitle us to form an opinion; but we have enough now to say that the course of the Howes in treating him as a proper object of military exchange after they knew he was a traitor to the American cause, has cast a serious blemish on their name. General Howe was succeeded by Clinton in May, 1778, and was no longer engaged in active service. He died in 1814.

Judge Thomas Jones, a leading New York loyalist, thus speaks in his History of New York: "A different set of politics at this time [on Howe's arrival at New York] prevailed, the rebels were to be converted and the loyalists frowned upon. Proclamations were to end an inveterate rebellion. An opposition, a most unprincipled opposition, in England, was to be pleased, the almighty powers and patronage of the commander-in-chief to be continued, that quarter-masters, barrack-masters, commissaries, etc., might enrich themselves by amassing large fortunes out of the public. This was effectually done. They became nabobs of the West, and became equally rich with those of the East. Had half the pains been taken to suppress the American rebellion as there was to drain the British treasury of its cash, any one year of the war would have demolished rebellion, and Great Britain been at this day (1784) still in possession of thirteen opulent colonies, of which she has been dismembered by the misconduct and inattention of one general, by the stupidity of another, and by an infamous ministry, who patched up an ignominious peace, to the dishonor of the nation, the discredit of their sovereign, and to the ridicule of all Europe." (1 Jones' History of New York, 121.) Many pages are devoted by this distinguished loyalist to show the incapacity of the Howes and of Clinton. In the introduction will be found notices of Sir W. Howe's rapacity and dissoluteness, § 23; of his abandonment of loyalists, § 24; and of his recognition of Washington's ability, § 12.

A copy of "Remarks upon General Howe's account of his proceedings in Long Island, etc., by Israel Mauduit," with the author's autograph (apparently) and picture, and other illustrations, is in the library of the Department of State. The writer, with much force, censures Howe's inactivity in letting the rebels at New York escape, possessing as they did, not more than twelve thousand men, and with very inadequate arms, when he was "at the head of an American establishment for fifty thousand troops, attended with ninety-six ships of war," and when he had every attainable kind of arms and ammunition.

A second edition of the Narrative of Lieut.-Gen. Sir William Howe, in a committee of the House of Commons, was published in London in 1780, and a copy of it is in the library of the Department of State. In the same volume are Sir W. Howe's "Observations upon a pamphlet entitled Letters to a Nobleman."

pleased to add that he was persuaded, from my knowledge of both countries, my character and influence in one of them, and my abilities in business, no man had it so much in his power as myself. I naturally answered that I should be very happy if I could in any degree be instrumental in so good a work, but that I saw no prospect of it; for, though I was sure the Americans were always willing and ready to agree upon any equitable terms, yet I thought an accommodation impracticable, unless both sides wished it, and by what I could judge from the proceedings of the ministry, I did not believe they had the least disposition towards it; that they rather wished to provoke the North American people into an open rebellion, which might justify a military execution and thereby gratify a grounded malice, which I conceived to exist here against the whigs and dissenters of that country. Mr. Barclay apprehended I judged too hardly of the ministers; he was persuaded they were not all of that temper, and he fancied they would be very glad to get out of their present embarrassment on any terms, only saving the honor and dignity of government. He wished, therefore, that I would think of the matter, and he would call again and converse with me further upon it. I said I would do so, as he requested it, but I had no opinion of its answering any purpose. We parted upon this. But two days after I received a letter from him, inclosed in a note from Dr. Fothergill, both which follow.

YOUNGSBURY, NEAR WARE, 3d 12th month, 1774.

ESTEEMED FRIEND: After we parted on Thursday last, I accidentally met our mutual friend, Dr. Fothergill, in my way home, and intimated to him the subject of our discourse; in consequence of which I have received from him an invitation to a further conference on this momentous affair, and I intend to be in town to-morrow accordingly, to meet at his house between 4 and 5 o'clock, and we unite in the request of thy company. We are neither of us insensible that the affair is of that *magnitude* as should almost deter private persons from meddling with it; at the same time we are respectively such well-wishers to the cause that nothing in our power ought to be left undone, though the utmost of our efforts may be unavailable.

I am thy respectful friend,

DAVID BARCLAY.

Dr. FRANKLIN,
Craven street.

Dr. Fothergill presents his respects to Dr. Franklin, and hopes for the favor of his company in Harpur street to-morrow evening, to meet their mutual friend David Barclay, to confer on American affairs. As near 5 o'clock as may be convenient.

HARPUR STREET, 3d inst.

The time thus appointed was the evening of the day on which I was to have my second chess party with the agreeable Mrs. Howe, whom I met accordingly. After playing as long as we liked, we fell into a little chat, partly on a mathematical problem and partly about the new Parliament, then just met, when she said, "And what is to be done with this dispute between Great Britain and the Colonies? I hope we are not to have a civil war." "They should kiss and be friends," said I; "what can they do better? Quarreling can be of service to neither, but is ruin to

both." "I have often said," replied she, "that I wished government would employ you to settle the dispute for them; I am sure nobody could do it so well. Do not you think that the thing is practicable?" "Undoubtedly, Madam, if the parties are disposed to reconciliation; for the two countries have really no clashing interests to differ about. It is rather a matter of punctilio which two or three reasonable people might settle in half an hour. I thank you for the good opinion you are pleased to express of me; but the ministers will never think of employing me in that good work; they choose rather to abuse me." "Aye," said she, "they have behaved shamefully to you. And indeed some of them are now ashamed of it themselves." I looked upon this as accidental conversation, thought no more of it, and went in the evening to the appointed meeting at Dr. Fothergill's, where I found Mr. Barclay with him.

The doctor expatiated feelingly on the mischiefs likely to ensue from the present difference, the necessity of accommodating it, and the great merit of being instrumental in so good a work; concluding with some compliments to me; that nobody understood the subject so thoroughly, and had a better head for business of the kind; that it seemed therefore a duty incumbent on me, to do everything I could to accomplish a reconciliation; and that, as he had with pleasure heard from David Barclay, that I had promised to think of it, he hoped I had put pen to paper and formed some plan for consideration and brought it with me. I answered that I had formed no plan; as the more I thought of the proceedings against the Colonies, the more satisfied I was, that there did not exist the least disposition in the ministry to an accommodation; that therefore all plans must be useless. He said I might be mistaken; that whatever was the violence of some, he had reason, *good reason*, to believe others were differently disposed; and that if I would draw a plan, which we three upon considering should judge reasonable, it might be made use of and answer some good purpose, since he believed that either himself or David Barclay could get it communicated to some of the most moderate among the ministers who would consider it with attention; and what appeared reasonable to us, two of us being Englishmen, might appear so to them.

As they both urged this with great earnestness, and when I mentioned the impropriety of my doing anything of the kind at the time we were in daily expectation of hearing from the Congress, who undoubtedly would be explicit on the means of restoring a good understanding, they seemed impatient, alleging that it was uncertain when we should receive the result of the Congress and what it would be; that the least delay might be dangerous; that additional punishments for New England were in contemplation and accidents might widen the breach and make it irreparable; therefore, something preventive could not be too soon thought of and applied;—I was therefore finally prevailed with to promise doing what they desired and to meet them again on

Tuesday evening at the same place, and bring with me something for their consideration.

Accordingly, at the time, I met with them and produced the following paper :

Hints for conversation upon the subject of terms that might probably produce a durable union between Britain and the Colonies.

1. The tea destroyed to be paid for.
2. The tea-duty act to be repealed, and all the duties that have been received upon it to be repaid into the treasuries of the several provinces from which they have been collected.
3. The acts of navigation to be all re-enacted in the Colonies.
4. A naval officer, appointed by the Crown, to reside in each colony to see that those acts are observed.
5. All the acts restraining manufactures in the Colonies to be repealed.
6. All duties arising on the acts for regulating trade with the Colonies to be for the public use of the respective Colonies, and paid into their treasuries. The collectors and custom-house officers to be appointed by each governor, and not sent from England.
7. In consideration of the Americans maintaining their own peace establishment and the monopoly Britain is to have of their commerce, no requisition to be made from them in time of peace.
8. No troops to enter and quarter in any colony but with the consent of its legislature.
9. In time of war, on requisition made by the king with the consent of Parliament, every colony shall raise money by the following rules of proportions, viz: If Britain, on account of the war, raises 3 shillings in the pound to its land tax, then the Colonies to add to their last general provincial peace tax a sum equal to one-fourth thereof; and if Britain, on the same account, pays 4 shillings in the pound, then the Colonies to add to their said last peace tax a sum equal to half thereof, which additional tax is to be granted to his majesty, and to be employed in raising and paying men for land or sea service, furnishing provisions, transports, or for such other purposes as the king shall require and direct. And, though no colony may contribute less, each may add as much by voluntary grant as they shall think proper.
10. Castle William to be restored to the province of the Massachusetts Bay, and no fortress built by the Crown in any province but with the consent of its legislature.
11. The late Massachusetts and Quebec acts to be repealed and a free government granted to Canada.
12. All judges to be appointed during good behaviour, with equally permanent salaries to be paid out of the province revenues by appointment of the assemblies. Or, if the judges are to be appointed during the pleasure of the Crown, let the salaries be during the pleasure of the assemblies, as heretofore.
13. Governors to be supported by the assemblies of each province.
14. If Britain will give up its monopoly of American commerce, then the aid above mentioned to be given by America in time of peace as well as in time of war.
15. The extension of the act of Henry the Eighth, concerning treasons to the Colonies, to be formally disowned by Parliament.
16. The American admiralty courts reduced to the same powers they have in England, and the acts establishing them to be re-enacted in America.
17. All powers of internal legislation in the Colonies to be disclaimed by Parliament.

In reading this paper a second time I gave my reasons at length for each article.

On the first I observed, that, when the injury was done, Britain had a right to *reparation* and would certainly have had it on demand, as was the case when injury was done by mobs in the time of the stamp act; or she might have a right to return an equal injury if she rather chose to do that; but she could not have a right both to *reparation* and to return an *equal injury*; much less had she a right to return the injury ten or twenty fold, as she had done by blocking up the port of Boston. All of which extra injury ought, in my judgment, to be repaired by Britain. That, therefore, if paying for the tea was agreed to by me as an article fit to be proposed, it was merely from a desire of peace and in compliance with their opinion expressed at our first meeting, that this was a *sine qua non*, that the dignity of Britain required it, and that if this was agreed to everything else would be easy. This reasoning was allowed to be just; but still the article was thought necessary to stand as it did.

On the second, that the act should be repealed, as having never answered any good purpose, as having been the cause of the present mischief and never likely to be executed. That, the act being considered as unconstitutional by the Americans and what the Parliament had no right to make, they must consider all the money *extorted* by it, as so much wrongfully taken and of which therefore restitution ought to be made; and the rather as it would furnish a fund out of which the payment for the tea destroyed might best be defrayed. The gentlemen were of opinion that the first part of the article, viz, the repeal, might be obtained, but not the refunding part and therefore advised striking that out; but, as I thought it just and right, I insisted on its standing.

On the third and fourth articles I observed, we were frequently charged with views of abolishing the navigation act. That in truth those parts of it which were of most importance to Britain as tending to increase its naval strength, viz, those restraining the trade to be carried on only in ships belonging to British subjects, navigated by at least three-quarters British or colony seamen, etc., were as acceptable to us as they could be to Britain, since we wished to employ our own ships in preference to foreigners and had no desire to see foreign ships enter our ports. That indeed the obliging us to land some of our commodities in England before we could carry them to foreign markets, and forbidding our importation of some goods directly from foreign countries, we thought a hardship and a greater loss to us than gain to Britain, and therefore proper to be repealed. But as Britain had deemed it an equivalent for her protection we had never applied, or proposed to apply, for such repeal. And if they must be continued I thought it best (since the power of Parliament to make them was now disputed), that they should be re-enacted in all the Colonies which would demonstrate their consent to them. And then if, as in the sixth article, all the duties arising on them were to be collected by officers appointed and salaried in the respective governments, and the produce paid into their treasuries, I was sure the

acts would be better and more faithfully executed, and at much less expense, and one great source of misunderstanding removed between the two countries, viz, the calumnies of low officers appointed from home, who were for ever abusing the people of the country to government to magnify their own zeal and recommend themselves to promotion. That the extension of the admiralty jurisdiction, so much complained of, would then no longer be necessary; and that besides its being the interest of the Colonies to execute those acts, which is the best security, government might be satisfied of its being done, from accounts to be sent home by the naval officers of the fourth article. The gentlemen were satisfied with these reasons and approved the third and fourth articles; so they were to stand.

The fifth they apprehended would meet with difficulty. They said that restraining manufactures in the Colonies was a favorite idea here, and therefore they wished that article to be omitted, as the proposing it would alarm and hinder perhaps the considering and granting others of more importance; but, as I insisted on the equity of allowing all subjects in every country to make the most of their natural advantages, they desired I would at least alter the last word from *repealed* to *reconsidered*, which I complied with.

In maintaining the seventh article (which was at first objected to on the principle that all under the care of government should pay towards the support of it) my reasons were that if every distinct part of the king's dominions supported its own government in time of peace, it was all that could justly be required of it; that all the old or confederated colonies had done so from their beginning; that their taxes for that purpose were very considerable; that new countries had many public expenses which old ones were free from, the works being done to their hands by their ancestors, such as making roads and bridges, erecting churches, court-houses, forts, quays, and other public buildings, founding schools and places of education, hospitals and alms-houses, etc.; that the voluntary and the legal subscriptions and taxes for such purposes, taken together, amounted to more than was paid by equal estates in Britain. That it would be best for Britain, on two accounts, not to take money from us as contribution to its public expense in time of peace; first, for that just so much less would be got from us in commerce, since all we could spare was already gained from us by Britain in that way; and, secondly, that coming into the hands of British ministers, accustomed to prodigality of public money, it would be squandered and dissipated, answering no good general purpose. That if we were to be taxed towards the support of government in Britain, as Scotland has been since the union, we ought then to be allowed the same privileges in trade as she has been allowed. That if we are called upon to give to the sinking fund or the national debt, Ireland ought be likewise called upon; and both they and we, if we gave, ought to have some means established of inquiring into the application, and securing

a compliance with the terms on which we should grant. That British ministers would perhaps not like our meddling with such matters; and that hence might arise new causes of misunderstanding. That upon the whole, therefore, I thought it best on all sides that no aids shall be asked or expected from the Colonies in time of peace; that it would then be their interest to grant bountifully and exert themselves vigorously in time of war, the sooner to put an end to it. That specie was not to be had to send to England in supplies, but the Colonies could carry on war with their own paper money, which would pay troops, and for provisions, transports, carriages, clothing, arms, etc. So this seventh article was at length agreed to without further objection.

The eighth the gentlemen were confident would never be granted. For the whole world would be of opinion that the king, who is to defend all parts of his dominions, should have of course a right to place his troops where they might best answer that purpose. I supported the article upon principles equally important, in my opinion, to Britain as to the Colonies; for that if the king could bring into one part of his dominions troops raised in any other part of them, without the consent of the legislatures of the part to which they were brought, he might bring armies raised in America into England without consent of Parliament, which probably would not like it, as a few years since they had not liked the introduction of the Hessians and Hanoverians, though justified by the supposition of its being a time of danger. That if there should be at any time real occasion for British troops in America, there was no doubt of obtaining the consent of the assemblies there; and I was so far from being willing to drop this article that I thought I ought to add another requiring all the present troops to be withdrawn, before America could be expected to treat or agree upon any terms of accommodation; as what they should now do of that kind might be deemed the effect of compulsion, the appearance of which ought as much as possible to be avoided, since those reasonable things might be agreed to, where the parties seemed at least to act freely, which would be strongly refused under threats or the semblance of force. That the withdrawing the troops was therefore necessary to make any treaty durably binding on the part of the Americans, since proof of having acted under force would invalidate any agreement. And it could be no wonder, that we should insist on the crown's having no right to bring a standing army among us in time of peace, when we saw now before our eyes a striking instance of the ill use to be made of it, viz, to distress the king's subjects in different parts of his dominions, one part after the other, into a submission to arbitrary power, which was the avowed design of the army and fleet now placed at Boston. Finding me obstinate, the gentlemen consented to let this stand, but did not seem quite to approve of it. They wished, they said, to have this a paper or plan that they might show as containing the sentiments of considerate, im-

partial persons, and such as they might as Englishmen support, which they thought could not well be the case with this article.

The ninth article was so drawn, in compliance with an idea of Dr. Fothergill, started at our first meeting, viz, that government here would probably not be satisfied with the promise of voluntary grants in time of war from the assemblies, of which the quantity must be uncertain; that, therefore, it would be best to proportion them in some way to the shillings in the pound raised in England; but how such proportion could be ascertained he was at a loss to contrive. I was desired to consider it. It had been said, too, that Parliament was become jealous of the right claimed and heretofore used by the crown of raising money in the Colonies without parliamentary consent; and, therefore, since we would not pay parliamentary taxes, future requisitions must be made with consent of Parliament, and not otherwise. I wondered that the crown should be willing to give up that separate right, but had no objection to its limiting itself, if it thought proper; so I drew the article accordingly, and contrived to proportion the aid by the tax of the last year of peace. And since it was thought that the method I should have liked best would never be agreed to, viz, a Continental Congress to be called by the crown, for answering requisitions and proportioning aids, I chose to leave room for voluntary additions by the separate assemblies, that the crown might have some motive for calling them together, and cultivating their good will, and they have some satisfaction in showing their loyalty and their zeal in the common cause, and an opportunity of manifesting their disapprobation of a war, if they did not think it a just one. This article therefore met with no objection *from them*; and I had another reason for liking it, viz, that the view of the proportion to be given in time of war, might make us the more frugal in time of peace.

For the tenth article I urged the injustice of seizing that fortress (which had been built at an immense charge by the province, for the defense of their port against national enemies) and turning it into a citadel for awing the town, restraining their trade, blocking up their port, and depriving them of their privileges. That a great deal had been said of their injustice in destroying the tea; but here was a much greater injustice uncompensated, that castle having cost the province £300,000. And that such a use made of a fortress they had built would not only effectually discourage every colony from ever building another, and thereby leave them more exposed to foreign enemies, but was a good reason for their insisting that the crown should never erect any hereafter in their limits without the consent of the legislature. The gentlemen had not much to say against this article, but thought it would hardly be admitted.

The eleventh article, it was thought, would be strongly objected to; that it would be urged the old colonists could have nothing to do with the affairs of Canada, whatever we had with those of the Massachusetts;

that it would be considered as an officious meddling merely to disturb government; and that some even of the Massachusetts acts were thought by administration to be improvements of that government, viz, those altering the appointment of counselors, the choice of jury-men, and the forbidding of town meetings. I replied that we having assisted in the conquest of Canada, at a great expense of blood and treasure, we had some right to be considered in the settlement of it. That the establishing an arbitrary government on the back of our settlements might be dangerous to us all; and that, loving liberty ourselves, we wished it to be extended among mankind, and to have no foundation for future slavery laid in America. That, as to amending the Massachusetts government, though it might be shown that every one of these pretended amendments were real mischiefs, yet that charters being compacts between two parties, the king and the people, no alteration could be made in them, even for the better, but by the consent of both parties. That the Parliament's claim and exercise of a power to alter our charters, which had always been deemed inviolable but for forfeiture, and to alter laws made in pursuance of these charters, which had received the royal approbation, and thenceforth deemed fixed and unchangeable, but by the powers that made them, had rendered all our constitutions uncertain, and set us quite afloat. That as, by claiming a right to tax us *ad libitum*, they deprived us of all property; so, by this claim of altering our laws and charters at will, they deprived us of all privilege and right whatever, but what we should hold at their pleasure. That this was a situation we could not be in, and must risk life and everything rather than submit to it. So this article remained.

The twelfth article I explained, by acquainting the gentlemen with the former situation of the judges in most colonies, viz, that they were appointed by the crown and paid by the assemblies. That the appointment being during the pleasure of the crown, the salary had been during the pleasure of the assembly. That when it has been urged against the assemblies, that their making judges dependent on them for their salaries, was aiming at an undue influence over the courts of justice; the assemblies usually replied that making them dependent on the crown for continuance in their places was also retaining an undue influence over those courts; and that one undue influence was a proper balance for the other; but that whenever the crown would consent to acts making the judges during *good behaviour*, the assemblies would at the same time grant their salaries to be permanent during their continuance in office. This the crown has, however, constantly refused. And this equitable offer is now again here proposed; the Colonies not being able to conceive why their judges should not be rendered as independent as those in England. That, on the contrary, the crown now claimed to make the judges in the colonies dependent on its favor for both place and salary, both to be continued

at its pleasure. This the Colonies must oppose as inequitable, as putting both the weights into one of the scales of justice. If, therefore, the crown does not choose to commission the judges during good behaviour, with equally permanent salaries, the alternative proposed that the salaries continue to be paid during the pleasure of the assemblies as heretofore. The gentlemen allowed this article to be reasonable.

The thirteenth was objected to, as nothing was generally thought more reasonable here, than that the king should pay his own governor, in order to render him independent of the people, who otherwise might aim at influencing him against his duty, by occasionally withholding his salary. To this I answered, that governors sent to the colonies were often men of no estate or principle, who came merely to make fortunes, and had no natural regard for the country they were to govern. That to make them quite independent of the people was to make them careless of their conduct, whether it was beneficial or mischievous to the public, and giving a loose to their rapacious and oppressive dispositions. That the influence supposed could never extend to operate anything prejudicial to the king's service, or the interest of Britain; since the governor was bound by a set of particular instructions, which he had given surety to observe; and all the laws he assented to were subject to be repealed by the crown, if found improper. That the payment of the salaries by the people was more satisfactory to them, as it was productive of a good understanding and mutual good offices between governor and governed, and therefore the innovation lately made in that respect at Boston and New York had, in my opinion, better be laid aside. So this article was suffered to remain.

But the fourteenth was thought totally inadmissible. The monopoly of the American commerce could never be given up, and the proposing it would only give offense without answering any good purpose. I was therefore prevailed on to strike it wholly out.

The fifteenth was readily agreed to.

The sixteenth it was thought would be of little consequence if the duties were given to the colony treasuries.

The seventeenth it was thought could hardly be obtained, but might be tried.

Thus having gone through the whole, I was desired to make a fair copy for Dr. Fothergill, who now informed us, that, having an opportunity of seeing daily Lord Dartmouth,* of whose good disposition he

* William, Earl of Dartmouth, was secretary of state for the colonies from August, 1772, to November, 1775, when he became keeper of the privy seal, retaining this post until April, 1783, when he was made steward of the household, a post he occupied only five months. He was a man of much worth and great liberality, Dartmouth College owing to him a part of its endowment. In politics he ranked among the personal followers of George III, to whose arbitrary will he bowed. "He has," said Franklin, "no will or judgment of his own, being, with disposition for the best measures, easily prevailed with to join in the worst." (*Infra*, p. 42.) He was a correspondent of Joseph Reed, who earnestly pressed on him the danger, in 1774, of oppressive measures towards

had a high opinion, he would communicate the paper to him, as the sentiments of considerate persons, who wished the welfare of both countries. "Suppose," said Mr. Barclay, "I were to show this paper to Lord Hyde; would there be anything amiss in so doing? He is a very knowing man; and, though not in the ministry, properly speaking, he is a good deal attended to by them. I have some acquaintance with him; we converse freely sometimes; and perhaps, if he and I were to talk these articles over, and I should communicate to him our conversation upon them, some good might arise out of it." Dr. Fothergill had no objection, and I said I could have none. I knew Lord Hyde a little, and had an esteem for him. I had drawn the paper at their request, and it was now theirs to do with it what they pleased. Mr. Barclay then proposed that I should send the fair copy to him, which, after making one for Doctor Fothergill and one for himself, he would return to me. Another question then arose, whether I had any objection to their mentioning that I had been consulted. I said, none that related to myself; but it was my opinion, if they wished any attention paid to the propositions, it would be better not to mention me; the ministry having, as I conceived, a prejudice against me, and everything that came from me. They said on that consideration it might be best not to mention me; and so it was concluded. For my own part, I kept this whole proceeding a profound secret; but I soon after discovered, that it had taken air by some means or other.

Being much interrupted the day following, I did not copy and send the paper. The next morning I received a note* from Mr. Barclay, pressing to have it before 12 o'clock. I accordingly sent it to him. Three days after, I received the following note from him:

D. Barclay presents his respects, and acquaints Dr. Franklin that, being informed a pamphlet entitled "A Friendly Address" has been dispersed to the *disadvantage of America* (in particular by the dean of Norwich), he desires Doctor F. will

America. Richardson said of him that he might, had he not been a Methodist, have sat for Sir Charles Grandison, and Cowper spoke of him as the peer not too proud to pray. (3 Cunningham's Walpole, 282.) But Dartmouth's very moral worth increased the mischief wrought by his master's policy, as it led a powerful religious element in England to espouse, for a while, the king's policy. He was the only member of the cabinet, according to Hutchinson, who cordially supported North's plan of conciliation in 1778.

Lord Dartmouth, when Henry Legge, was sent, in 1748, as minister to Berlin. "Nobody," says Horace Walpole, "has better parts; and if art and industry can obtain success, I know no one would use more." In a note is given a quotation from the Duke of Newcastle, who speaks of Legge as having "capacity, integrity, quality, rank, and address." (Walpole to Mann, January 26, 1748; 2 Cunningham's Walpole, 102.) He became second Earl of Dartmouth in 1754.

In the American department he was succeeded by Lord George Germaine. His relations to Hutchinson have been already noticed. (Introduction, § 24.)

* D. Barclay presents his respects to Dr. Franklin, and requests to receive the paper to-day by 12 o'clock, if he can furnish it with conveniency; otherwise as soon after as best suits him.

peruse the inclosed, just come to hand from America; and, if he approves of it, re-publish it, as D. B. wishes something might be properly spread at Norwich. D. B. saw to-day a person, with whom he had been yesterday (before he called on Dr. F.), and had the satisfaction of walking part of the way with him to another noble person's house, to meet on the *business*, and he told him, that he could say, that he saw some *light*.

"CHEAPSIDE, 11th instant."

The person so met and accompanied by Mr. Barclay, I understood to be Lord Hyde, going either to Lord Dartmouth's or Lord North's; I knew not which.

In the following week arrived the proceedings of the Congress, which had been long and anxiously expected, both by the friends and adversaries of America.

The petition of Congress to the king was inclosed to me, and accompanied by the following letter from their president, addressed to the American agents in London:

To Paul Wentworth, Esquire, Dr. Benjamin Franklin, William Bollan, Esquire, Dr. Arthur Lee,† Thomas Life, Esquire, Edmund Burke,‡ Esquire, Charles Garth, Esquire. :*

PHILADELPHIA, October 26, 1774.

GENTLEMEN: We give you the strongest proof of our reliance on your zeal and attachment to the happiness of America and the cause of liberty, when we commit the inclosed papers to your care.

We desire you will deliver the petition into the hands of his majesty; and, after it has been presented, we wish it may be made public through the press, together with the list of grievances. And as we hope for great assistance from the spirit,

* See Introduction, § 208.

† See Introduction, §§ 136 ff; index, title Arthur Lee.

‡ Splendid as was the eloquence with which Burke vindicated American rights, he had very little to do with Americans personally. His position with regard to the Revolution was peculiar. With revolutionists, as such, he had no sympathy. "Constitution makers," the framers of new schemes of government, and radical innovators, he detested. On the other hand, he was an uncompromising vindicator of the doctrine that laws which interfere with the conscience and the proper policy of a country are wrongful. No law is truly such, so he used to say—*i. e.*, no law is truly beneficial—which is not declaratory; which, in other words, does not codify a state of things already existing as a right. The English Colonies in America, so he argued, were peopled by Englishmen, accustomed to the liberties Englishmen enjoyed, and entitled as such to govern themselves in all matters not involved in foreign affairs. This position he maintained with an ability which for lustrous power has never been surpassed. As early as 1757 he published, anonymously, "An account of the European settlements in America," in two volumes, in which he showed a full mastery of the political and economical conditions of the Colonies as they then were. He was then twenty-seven years of age, depending mainly on literature for employment and support; and two years later he became the historical editor of Dodsley's Annual Register, in which from year to year he gave expositions of great value of English politics, devoting a large space to American affairs. In 1765 he was appointed private secretary to Rockingham, then prime minister, and in January, 1766, he was elected to Parliament, where his genius soon attracted admiration. In the debates on the American stamp act he virtually led the ministerial ranks, and his speeches on America which he then and afterwards delivered have no superiors in any reported speeches ancient or modern. When the Rockingham ministry went out in July, 1766, he took his place in the ranks of the opposition, and declined office when tendered to him by Chatham

virtue and justice of the nation, it is our earnest desire, that the most effectual care be taken, as early as possible, to furnish the trading cities and manufacturing towns throughout the United Kingdom with our memorial to the people of Great Britain.

We doubt not but that your good sense and discernment will lead you to avail yourselves of every assistance that may be derived from the advice and friendship of all great and good men who may incline to aid the cause of liberty and mankind.

The gratitude of America, expressed in the inclosed vote of thanks, we desire may be conveyed to the deserving objects of it, in the manner that you think will be most acceptable to them.

It is proposed that another Congress be held on the 10th of May next at this place; but in the mean time we beg the favor of you, gentlemen, to transmit to the speakers of the several assemblies the earliest information of the most authentic accounts you can collect of all such conduct and designus of ministry or Parliament as it may concern America to know.

We are, with unfeigned esteem and regard, gentlemen, etc.

By order of the Congress.

HENRY MIDDLETON,
President.

The first impression made by the proceedings of the American Congress, on people in general, was greatly in our favor. Administration seemed to be staggered, were impatient to know whether the *petition* mentioned in the proceedings was come to my hands, and took a roundabout method of obtaining that information, by getting a ministerial merchant, a known intimate of the solicitor-general, to write me a letter importing that he heard I had received such a petition, that I was to be attended in presenting it by the merchants, and begging to know

and Grafton. In 1768 he was again returned to Parliament, publishing at this period of his history several political pamphlets. In November, 1772, he accepted the English agency of the province of New York, and from that time until the peace, was untiring in his devotion to the American cause, taking however the distinctive policy in this respect of the Rockingham whigs, already noticed. (*Supra*, § 31.) This policy, it will be recollect, consisted of an absolute recognition of the independence of the United States, according to their provincial boundaries, without any provision for commercial union. He resigned, with Fox, on Rockingham's death, and he united with Fox in denouncing the preliminary peace articles of 1782, as giving to the United States excessive privileges. Of Burke's subsequent course with regard to the French revolution it is not necessary here to speak. With gorgeous eloquence he denounced the French revolution because it assailed, as he held, all that was good in the past, while with the same eloquence he upheld the American revolution because it was a development of such good. The French revolution, he held, insulted and uprooted every sacred existing institution; the American revolution was a vindication and strengthening of such institutions. But with revolutionists personally it was not natural for Burke to have much sympathy, however much, when the revolution they were engaged in was a development of right national forces, he might approve of their work. He took an interest, it is true, in the case of Henry Laurens when the latter was in the Tower, but he does not appear to have had any intimacy with any American except Franklin, and of Franklin he does not seem to have seen much. For those Americans, such as Arthur and William Lee, and Sayre, who were associated with Wilkes, Burke probably had that dislike which he felt so strongly for Wilkes himself. For to Burke, devout, conscientious, and refined, as well as statesmanlike in the highest sense, nothing could have been more repugnant than Wilkes' political and social profligacy.

the time, that he might attend "on so important an occasion, and give his testimony to so good a work." Before these proceedings arrived, it had been given out that no petition from the Congress could be received, as they were an illegal body; but the secretary of state, after a day's perusal (during which a council was held), told us it was a decent and proper petition, and cheerfully undertook to present it to his majesty, who, he afterwards assured us, was pleased to receive it very graciously, and to promise to lay it, as soon as they met, before his two houses of Parliament; and we had reason to believe, that, at that time, the petition was intended to be made the foundation of some change of measures; but that purpose, if such there were, did not long continue.

About this time I received a letter from Mr. Barclay, then at Norwich, dated December 18, expressing his opinion that it might be best to postpone taking any further steps in the affair of procuring a meeting and petition of the merchants (on which we had had several consultations) till after the holidays, thereby to give the proceedings of Congress more time to work upon men's minds; adding, "I likewise consider that our superiors will have some little time for reflection, and perhaps may contemplate on the propriety of the 'hints' in their possession. By a few lines I have received from Lord Hyde, he intimates his hearty wish that they may be productive of what may be practicable and advantageous for the mother country and the Colonies."

On the 22d Mr. Barclay was come to town, when I dined with him, and learnt that Lord Hyde thought the propositions too hard.

On the 24th I received the following note from a considerable merchant in the city, viz:

Mr. William Neate presents his most respectful compliments to Dr. Franklin, and as a report prevailed yesterday evening that all the disputes between Great Britain and the American Colonies were, through his application and influence with Lord North, amicably settled, conformable to the wish and desire of the late Congress, W. N. desires the favor of Dr. Franklin to inform him by a line, per the bearer, whether there is any credit to be given to the report.

ST. MARY HILL, 24th December, 1774.

My answer was to this effect; that I should be very happy to be able to inform him that the report he had heard had some truth in it; but I could only assure him, that I knew nothing of the matter. Such reports, however, were confidently circulated and had some effect in recovering the stocks which had fallen 3 or 4 per cent.

On Christmas Day, visiting Mrs. Howe, she told me as soon as I came in, that her brother, Lord Howe, wished to be acquainted with me; that he was a very good man and she was sure we should like each other. I said I had always heard a good character of Lord Howe, and should be proud of the honor of being known to him. "He is but just by," said she; "will you give me leave to send for him?" "By all means, madam, if you think proper." She rang for a servant, wrote a note, and Lord Howe came in a few minutes.

After some extremely polite compliments, as to the general motives

for his desiring an acquaintance with me, he said he had a particular one at this time, which was the alarming situation of our affairs with America, which no one, he was persuaded, understood better than myself; that it was the opinion of some friends of his that no man could do more towards reconciling our differences than I could if I would undertake it; that he was sensible I had been very ill treated by the ministry, but he hoped that would not be considered by me in the present case; that he himself, though not in opposition, had much disapproved of their conduct towards me; that some of them he was sure were ashamed of it and sorry it had happened; which he supposed must be sufficient to abate resentment in a great and generous mind; that, if he were himself in administration, he should be ready to make me ample satisfaction which, he was persuaded, would one day or other be done; that he was unconnected with the ministry except by some personal friendships, wished well however to government, was anxious for the general welfare of the whole empire, and had a particular regard for New England which had shown a very endearing respect to his family; that he was merely an independent member of Parliament, desirous of doing what good he could, agreeably to his duty in that station; that he therefore had wished for an opportunity of obtaining my sentiments on the means of reconciling our differences, which he saw must be attended with the most mischievous consequences if not speedily accommodated; that he hoped his zeal for the public welfare would, with me, excuse the impertinence of a mere stranger who could have otherwise no reason to expect or right to request me to open my mind to him on these topics; but he did conceive that if I would indulge him with my ideas of the means proper to bring about a reconciliation, it might be of some use; that perhaps I might not be willing myself to have any *direct* communication with the ministry on this occasion; that I might likewise not care to have it known that I had any *indirect* communication with them, till I could be well assured of their good dispositions; that being himself upon no ill terms with them he thought it not impossible that he might, by conveying my sentiments to them and theirs to me, be a means of bringing on a good understanding, without committing either them or me, if his negotiation should not succeed; and that I might rely on his keeping perfectly secret everything I should wish to remain so.

Mrs. Howe here offering to withdraw, whether of herself or from any sign by him I know not, I begged she might stay as I should have no secret in a business of this nature that I could not freely confide to her prudence; which was truth; for I had never conceived a higher opinion of the discretion and excellent understanding of any woman on so short an acquaintance. I added that though I had never before the honor of being in his lordship's company his manner was such as had already engaged my confidence, and would make me perfectly easy and free in communicating myself to him.

I begged him, in the first place, to give me credit for a sincere desire

of healing the breach between the two countries; that I would cheerfully and heartily do every thing in my small power to accomplish it; but that I apprehended from the king's speech and from the measures talked of, as well as those already determined on, no intention or disposition of the kind existed in the present ministry, and therefore no accommodation could be expected till we saw a change. That as to what his lordship mentioned of the *personal injuries* done me, those done my country were so much greater that I did not think the other, at this time, worth mentioning; that, besides, it was a fixed rule with me not to mix my private affairs with those of the public; that I could join with my personal enemy in serving the public, or when it was for its interest, with the public in serving that enemy; these being my sentiments, his lordship might be assured that no private considerations of the kind should prevent my being as useful in the present case as my small ability would permit.

He appeared satisfied and pleased with these declarations, and gave it me as his sincere opinion, that some of the ministry were extremely well disposed to any reasonable accommodation, preserving only the dignity of government; and he wished me to draw up in writing some propositions containing the terms on which I conceived a good understanding might be obtained and established and the mode of proceeding to accomplish it; which propositions as soon as prepared we might meet to consider, either at his house or at mine, or where I pleased; but as his being seen at my house or me at his, might, he thought, occasion some speculation, it was concluded to be best to meet at his sister's, who readily offered her house for the purpose, and where there was a good pretense with her family and friends for my being often seen, as it was known we played together at chess. I undertook accordingly to draw up something of the kind; and so far for that time we parted agreeing to meet at the same place again on the Wednesday following.

I dined about this time by invitation with Governor Pownall.* There

* Thomas Pownall was born in Lincoln in England, in 1722. Well educated, with considerable literary ability, and with strong family connections, he took passage in 1753 for America, influenced in part by enthusiasm for the new world, in part by political ambition. In 1757 he was appointed governor of Massachusetts Bay. Here, however, he found himself troubled by the difficulty of accommodating himself to the semi-ecclesiastical popular system on the one side, and to the arbitrary expectations of the crown on the other. In 1760 he was transferred to New Jersey and, shortly afterwards was nominated as governor of South Carolina. In 1762, however, an offer of the comptroller-generalship of government expenditures in Germany brought him back to England. Elected a member of Parliament he distinguished himself by resolute opposition to the administration in all measures adverse to colonial interests. He contributed also through the press to the defense of those interests, publishing in 1776 a "Description of the Middle States of America," and in 1781 "A memorial to the sovereigns of Europe on the state of affairs between the old world and the new." His opposition to the administration, however, was that of indifference; he did not ally himself with the whig opposition, nor did he keep up, as did some of that opposition, any confidential intercourse with the American revolutionary

was no company but the family ; and after dinner we had a *tête à tête*. He had been in the opposition ; but was now about making his peace, in order to come into Parliament upon ministerial interest, which I did not then know. He told me, what I had before been told by several of Lord North's friends, that the American measures were not the measures of that minister, nor approved by him ; that, on the contrary, he was well disposed to promote a reconciliation upon any terms honorable to government ; that I had been looked upon as the great fomenter of the opposition in America and as a great adversary to any accommodation ; that he, Governor P. had given a different account of me and had told his lordship that I was certainly much misunderstood. From the governor's further discourse I collected that he wished to be employed as an envoy or commissioner to America, to settle the differences, and to have me with him ; but, as I apprehended there was little likelihood that either of us would be so employed by government, I did not give much attention to that part of his discourse.

I should have mentioned in its place (but one can not recollect everything in order) that, declining at first to draw up the propositions desired by Lord Howe, I alleged it being unnecessary, since the Congress in their petition to the king, just then received and presented through Lord Dartmouth, had stated their grievances, and pointed out very explicitly what would restore the ancient harmony, and I read a part of the petition to show their good dispositions, which, being very pathetically expressed, seemed to affect both the brother and sister. But still I was desired to give my ideas of the steps to be taken in case some of the propositions in the petition should not be thought admissible. And this, as I said before, I undertook to do.

I had promised Lord Chatham to communicate to him the first important news I should receive from America. I therefore sent him the proceedings of the Congress as soon as I received them ; but a whole week passed after I received the petition before I could, as I wished to do, wait upon him with it, in order to obtain his sentiments on the *whole* ; for my time was taken up in meetings with the other agents to consult about presenting the petition, in waiting three different days with them on Lord Dartmouth, in consulting upon and writing letters to the speakers of assemblies, and other business, which did not allow me a day to go to Hayes.

At last, on Monday, the 26th, I got out, and was there about 1 o'clock. He received me with an affectionate kind of respect, that from so great a man was extremely engaging, but the opinion he expressed of the Congress was still more so. They had acted, he said, with so much temper, moderation, and wisdom, that he thought it the most honorable

leaders. In 1780 he withdrew from Parliament and lived in retirement until his death at Bath in 1805. This period of leisure he devoted in part to antiquarian investigations and to study of political economy, on both of which topics he published essays.

assembly of statesmen since those of the ancient Greeks and Romans in the most virtuous times. That there were not in their whole proceedings above one or two things he could have wished otherwise; perhaps but one, and that was their assertion that the keeping up a standing army in the Colonies in time of peace, without consent of their legislatures, was against law. He doubted that was not well founded, and that the law alluded to did not extend to the Colonies. The rest he admired and honored. He thought the petition decent, manly, and properly expressed. He inquired much and particularly concerning the state of America, the probability of their perseverance, the difficulties they must meet with in adhering for any long time to their resolutions, the resources they might have to supply the deficiency of commerce; to all which I gave him answers with which he seemed well satisfied. He expressed a great regard and warm affection for that country, with hearty wishes for their prosperity, and that government here might soon come to see its mistakes and rectify them, and intimated that possibly he might, if his health permitted, prepare something for its consideration, when the Parliament should meet after the holidays, on which he should wish to have previously my sentiments.

I mentioned to him the very hazardous state I conceived we were in, by the continuance of the army in Boston; that, whatever disposition there might be in the inhabitants to give no just cause of offense to the troops, or in the general to preserve order among them, an unpremeditated, unforeseen quarrel might happen between perhaps a drunken porter and a soldier, that might bring on a riot, tumult, and bloodshed, and in its consequences produce a breach impossible to be healed; that the army could not possibly answer any good purpose *there*, and might be infinitely mischievous; that no accommodation could properly be proposed and entered into by the Americans, while the bayonet was at their breasts; that, to have any agreement binding, all force should be withdrawn. His lordship seemed to think these sentiments had something in them that was reasonable.

From Hayes I went to Halsted, Mr. Sargent's place, to dine, intending thence a visit to Lord Stanhope, at Chevening, but hearing that his lordship and the family were in town, I stayed at Halsted all night, and the next morning went to Chislehurst to call upon Lord Camden, it being in my way to town. I met his lordship and family in two carriages just without his gate, going on a visit of congratulation to Lord Chatham and his lady, on the late marriage of their daughter to Lord Mahon, son of Lord Stanhope. They were to be back at dinner, so I agreed to go in, stay dinner, and spend the evening there, and not return to town till next morning. We had that afternoon and evening a great deal of conversation on American affairs, concerning which he was very inquisitive, and I gave him the best information in my power. I was charmed with his generous and noble sentiments, and had the

great pleasure of hearing his full approbation of the proceedings of the Congress, the petition, etc., of which, at his request, I afterwards sent him a copy. He seemed anxious that the Americans should continue to act with the same temper, coolness, and wisdom, with which they had hitherto proceeded in most of their public assemblies, in which case he did not doubt they would succeed in establishing their rights, and obtain a solid and durable agreement with the mother country, of the necessity and great importance of which agreement, he seemed to have the strongest impressions.

I returned to town the next morning in time to meet at the hour appointed by Lord Howe. I apologized for my not being ready with the paper I had promised, by my having been kept longer than I intended in the country. We had, however, a good deal of conversation on the subject, and his lordship told me he could now assure me, of a certainty, that there was a sincere disposition in Lord North and Lord Dartmouth to accommodate the differences with America, and to listen favorably to any proposition that might have a probable tendency to answer that salutary purpose. He then asked me what I thought of sending some person or persons over, commissioned to inquire into the grievances of America upon the spot, converse with the leading people, and endeavor with them to agree upon some means of composing our differences. I said, that a person of rank and dignity, who had a character of candor, integrity, and wisdom, might possibly, if employed in that service, be of great use.

He seemed to be of the same opinion, and that whoever was employed should go with a hearty desire of promoting a sincere reconciliation, on the foundation of mutual interests and mutual good will; that he should endeavor, not only to remove their prejudices against government, but equally the prejudices of government against them, and bring on a perfect good understanding, etc. Mrs. Howe said, "I wish, brother, you were to be sent thither on such a service; I should like that much better than General Howe's going to command the army there." "I think, madam," said I, "they ought to provide for General Howe some more honorable employment." Lord Howe here took out of his pocket a paper, and offering it to me, said, smiling, "If it is not an unfair question, may I ask whether you know anything of this paper?" Upon looking at it, I saw it was a copy, in David Barclay's hand, of the "hints" before recited, and said that I had seen it, adding, a little after, that, since I perceived his lordship was acquainted with a transaction, my concern in which I had understood was to have been kept a secret, I should make no difficulty in owning to him, that I had been consulted on the subject, and had drawn up that paper. He said he was rather sorry to find that the sentiments expressed in it were mine, as it gave him less hopes of promoting, by my assistance, the wished-for reconciliation, since he had reason to think there was no likelihood of the admission of those propositions. He hoped, however, that I

would reconsider the subject and form some plan that would be acceptable here. He expatiated on the infinite service it would be to the nation, and the great merit in being instrumental in so good a work; that he should not think of influencing me by any selfish motive, but certainly I might with reason expect any reward in the power of government to bestow.

This to me was what the French vulgarly call *spitting in the soup*. However, I promised to draw some sketch of a plan, at his request, though I much doubted, I said, whether it would be thought preferable to that he had in his hand. But he was willing to hope that it would; and, as he considered my situation, that I had friends here and constituents in America to keep well with, that I might possibly propose something improper to be seen in my handwriting; therefore, it would be better to send it to Mrs. Howe, who would copy it, send the copy to him to be communicated to the ministry, and return me the original. This I agreed to, though I did not apprehend the inconvenience he mentioned. In general, I liked much his manner, and found myself disposed to place great confidence in him on occasion; but in this particular the secrecy he proposed seemed not of much importance.

In a day or two, I sent the following paper, inclosed in a cover, directed to the honorable Mrs. Howe:

It is supposed to be the wish on both sides, not merely to put a stop to the mischief at present threatening the general welfare, but to cement a *cordial union*, and remove, not only every real grievance, but every cause of jealousy and suspicion.

With this view, the first thing necessary is, to know what is, by the different parties in the dispute, thought essentially necessary for the obtaining such a union.

The American Congress, in their petition to the king, have been explicit, declaring that by a repeal of the oppressive acts therein complained of "*the harmony between Great Britain and the Colonies, so necessary to the happiness of both, and so ardently desired of them, will, with the usual intercourse, be immediately restored.*"

If it has been thought reasonable here, to expect that, previous to an alteration of measures, the Colonies should make some declaration respecting their future conduct, they have also done that, by adding, "*That, when the causes of their apprehensions are removed, their future conduct will prove them not unworthy of the regard they have been accustomed in their happier days to enjoy.*"

For their sincerity in these declarations they solemnly call to witness the Searcher of all hearts.

If Britain can have any reliance on these declarations (and perhaps none to be extorted by force can be more relied on than these, which are thus freely made), she may, without hazard to herself, try the expedient proposed, since if it fails she has it in her power at any time to resume her present measures.

It is then proposed: That Britain should show some confidence in these declarations by repealing all the laws or parts of laws that are requested to be repealed in the petition of the Congress to the king.

And that, at the same time, orders should be given to withdraw the fleet from Boston, and remove all the troops to Quebec, or the Floridas, that the Colonies may be left at perfect liberty in their future stipulations.

That this may, for the honor of Britain, appear not the effect of any apprehension from the measures entered into and recommended to the people by the Congress, but from good will and a change of disposition towards the Colonies, with a sincere desire of reconciliation; let some of their other grievances, which in their petition they

have left to the magnanimity and justice of the king and Parliament, be at the same time removed, such as those relating to the payment of governors' and judges' salaries, and the instructions for dissolving assemblies, etc., with the declarations concerning the statute of Henry the Eighth.

And to give the Colonies an immediate opportunity of demonstrating the reality of their professions, let their proposed ensuing Congress be authorized by government (as was that held at Albany in 1754), and a person of weight and dignity of character appointed to preside at it on behalf of the crown.

And then let requisition be made to the Congress, of such points as government wishes to obtain for its future security, for aids, for the advantage of general commerce, for reparation to the India Company, etc.

A generous confidence thus placed in the Colonies will give ground to the friends of government there, in their endeavors to procure from America every reasonable concession, or engagement, and every substantial aid that can fairly be desired.

On the Saturday evening, I saw Mrs. Howe, who informed me she had transcribed and sent the paper to Lord Howe in the country, and she returned me the original. On the following Tuesday, January 3, I received a note from her (inclosing a letter she had received from Lord Howe the last night), as follows :

Mrs. Howe's compliments to Dr. Franklin; she incloses him a letter she received last night, and returns him many thanks for his very obliging present,* which has already given her great entertainment. If the doctor has any spare time for chess, she will be exceedingly glad to see him any morning this week, and as often as will be agreeable to him, and rejoices in having so good an excuse for asking the favor of his company.

TUESDAY.

To the honorable Mrs. Howe,
Grafton street :

PORTER'S LODGE, January 2d, 1775.

I have received your packet; and it is with much concern that I collect, from sentiments of such authority as those of our worthy friend, that the desired accommodation threatens to be attended with much greater difficulty than I had flattered myself, in the progress of our intercourse, there would be reason to apprehend.

I shall forward the propositions as intended, not desirous of trespassing further on our friend's indulgence; but retaining sentiments of regard, which his candid and obliging attention to my troublesome inquiries will render ever permanent in the memory of your affectionate, etc.

Howe.

I ought to make excuses likewise to you.

His lordship had, in his last conversation with me, acknowledged a communication between him and the ministry, to whom he wished to make my sentiments known. In this letter from the country he owns the receipt of them, and mentions his intention of forwarding them—that is, as I understood it, to the ministers; but expresses his apprehensions that such propositions were not likely to produce any good effect. Some time after, perhaps a week, I received a note from Mrs. Howe, desiring to see me. I waited upon her immediately, when she showed me a letter from her brother, of which, having no copy, I can only give from the best of my recollection the purport of it, which I

* His Philosophical Writings.—W. T. F.

think was this : that he desired to know from their friend, meaning me, through her means, whether it might not be expected that if that friend would engage for their payment of the tea as a preliminary, relying on a promised redress of their grievances on future petitions from their assembly, they would approve of his making such engagement ; and whether the proposition in the former paper (the " hints ") relating to aids, was still in contemplation of the author. As Mrs. Howe proposed sending to her brother that evening, I wrote immediately the following answer, which she transcribed and forwarded :

The proposition in the former paper relating to aids is still in contemplation of the author, and, as he thinks, is included in the last article of the present paper.

The people of America, conceiving that Parliament has no right to tax them, and that therefore all that has been extorted from them by the operation of the duty acts, with the assistance of an armed force, preceding the destruction of the tea, is so much injury, which ought in order of time to be first repaired, before a demand on the tea account can be justly made of them, are not, he thinks, likely to approve of the measure proposed, and pay *in the first place* the value demanded, especially as twenty times as much injury has since been done them by blocking up their port ; and their castle also, seized before by the crown, has not been restored, nor any satisfaction offered them for the same.

At the meeting of Parliament after the holidays, which was on the 19th of January, 1775, Lord Howe returned to town, when we had another meeting, at which he lamented that my propositions were not such as probably could be accepted ; intimated, that it was thought I had powers or instructions from the Congress to make concessions on occasion, that would be more satisfactory. I disclaimed the having any of any kind but what related to the presenting of their petition. We talked over all the particulars in my paper, which I supported with reasons ; and finally said, that if what I had proposed would not do, I should be glad to hear what would do ; I wished to see some propositions from the ministers themselves. His lordship was not, he said, as yet fully acquainted with their sentiments, but should learn more in a few days. It was, however, some weeks before I heard anything further from him.

In the meanwhile, Mr. Barclay and I were frequently together on the affair of preparing the merchants' petition, which took up so much of his time that he could not conveniently see Lord Hyde ; so he had no information to give me concerning the " hints," and I wondered I heard nothing of them from Dr. Fothergill. At length, however, but I can not recollect about what time the doctor called on me and told me he had communicated them, and with them had verbally given my arguments in support of them, to Lord Dartmouth, who, after consideration, had told him some of them appeared reasonable, but others were inadmissible or impracticable. That having occasion to see frequently the speaker, he had also communicated them to him, as he found him very anxious for a reconciliation. That the speaker had said it would be very humiliating to Britain to be obliged to submit to such terms ; but the doctor told him she had been unjust, and ought to bear the conse-

quences, and alter her conduct; that the pill might be bitter, but it would be salutary, and must be swallowed. That these were the sentiments of impartial men, after thorough consideration and full information of all circumstances; and that sooner or later these or similar measures must be followed, or the empire would be divided and ruined. The doctor, on the whole, hoped some good would be effected by our endeavors.

On the 19th of January, I received a card from Lord Stanhope, acquainting me that Lord Chatham, having a motion to make on the morrow in the House of Lords concerning America, greatly desired that I might be in the House, into which Lord Stanhope would endeavor to procure me admittance. At this time it was a rule of the house that no person could introduce more than one friend. The next morning his lordship let me know by another card that if I attended at 2 o'clock in the lobby, Lord Chatham would be there about that time, and would himself introduce me. I attended, and met him there accordingly. On my mentioning to him what Lord Stanhope had written to me, he said, "Certainly; and I shall do it with the more pleasure, as I am sure your being present at this day's debate will be of more service to America than mine;" and so taking me by the arm was leading me along the passage to the door that enters near the throne, when one of the door-keepers followed, and acquainted him that by the order, none were to be carried in at that door but the eldest sons or brothers of peers; on which he limped back with me to the door near the bar, where were standing a number of gentlemen waiting for the peers who were to introduce them, and some peers waiting for friends they expected to introduce; among whom he delivered me to the door-keepers, saying aloud, "This is Dr. Franklin, whom I would have admitted into the house," when they readily opened the door for me accordingly.

As it had not been publicly known that there was any communication between his lordship and me, this I found occasioned some speculation. His appearance in the house, I observed, caused a kind of bustle among the officers, who were hurried in sending messengers for members, I suppose those in connection with the ministry, something of importance being expected when that great man appears; it being but seldom that his infirmities permit his attendance. I had great satisfaction in hearing his motion and the debate upon it, which I shall not attempt to give here an account of, as you may find a better in the papers of the time. It was his motion for withdrawing the troops from Boston as the first step towards an accommodation.

The day following, I received a note from Lord Stanhope expressing that, "at the desire of Lord Chatham, was sent me inclosed the motion he made in the House of Lords, that I might be possessed of it in the most authentic manner, by the communication of the individual paper, which was read to the house by the mover himself." I sent copies of this motion to America, and was the more pleased with it, as I con-

ceived it had partly taken its rise from a hint I had given his lordship in a former conversation. It follows in these words:

LORD CHATHAM'S MOTION, JANUARY 20, 1775.

* That an humble address be presented to his majesty, most humbly to advise and beseech his majesty, that, in order to open the way towards a happy settlement of the dangerous troubles in America by beginning to allay ferments and soften animosities there, and above all, for preventing in the mean time any sudden and fatal catastrophe at Boston, now suffering under the daily irritation of an army before their eyes, posted in their town; it may graciously please his majesty that immediate orders may be dispatched to General Gage for removing his majesty's forces from the town of Boston, as soon as the rigor of the season and other circumstances, indispensable to the safety and accommodation of the said troops, may render the same practicable.

I was quite charmed with Lord Chatham's speech in support of his motion. He impressed me with the highest idea of him as a great and most able statesman.* Lord Camden, another wonderfully good speaker and close reasoner, joined him in the same argument, as did several other lords, who spoke excellently well, but all availed no more than the whistling of the winds. The motion was rejected. Sixteen Scotch peers, and twenty-four bishops, with all the lords in possession or expectation of places, when they vote together unanimously, as they generally do for ministerial measures, make a dead majority, that renders all debating ridiculous in itself, since it can answer no end. Full of the high esteem I had imbibed for Lord Chatham, I wrote back to Lord Stanhope the following note, viz:

Dr. Franklin presents his best respects to Lord Stanhope, with many thanks to his lordship and Lord Chatham for the communication of so authentic a copy of the motion. Dr. F. is filled with admiration of that truly great man. He has seen, in the course of life, sometimes eloquence without wisdom, and often wisdom without eloquence; in the present instance he sees both united, and both, as he thinks, in the highest degree possible.

CRAVEN STREET, January 23d, 1775.

As in the course of the debate some lords in the administration had observed that it was common and easy to censure their measures, but those who did so proposed nothing better, Lord Chatham mentioned that he should not be one of those idle censurers; that he had thought long and closely upon the subject, and proposed soon to lay before their lordships the result of his meditation in a plan for healing our differences and restoring peace to the empire, to which his present motion was preparatory. I much desired to know what his plan was, and intended waiting on him to see if he would communicate it to me; but he went the next morning to Hayes, and I was so much taken up

* It was reported at the time that his lordship had concluded his speech with the following remarkable words: "If the ministers thus persevere in *misadvising* and *misleading* the king, I will not say, that they can alienate the affections of his subjects from his crown, but I will affirm, that they will make the crown *not worth his wearing*. I will not say that the king is betrayed, but I will pronounce that the *kingdom is undone*."—W. T. F.

with daily business and company that I could not easily get out to him. A few days after, however, Lord Mahon called on me and told me Lord Chatham was very desirous of seeing me, when I promised to be with him the Friday following, several engagements preventing my going sooner.

On Friday, the 27th, I took a post-chaise about 9 o'clock and got to Hayes about 11; but my attention being engaged in reading a new pamphlet, the post-boy drove me a mile or two beyond the gate. His lordship being out on an airing in his chariot, had met me before I reached Hayes, unobserved by me, turned and followed me, and not finding me there, concluded, as he had seen me reading, that I had passed by mistake, and sent a servant after me. He expressed great pleasure at my coming, and acquainted me in a long conversation with the outlines of his plan, parts of which he read to me. He said he had communicated it only to Lord Camden, whose advice he much relied on, particularly in the law part, and that he would, as soon as he could, get it transcribed, put it into my hands for my opinion and advice, but should show it to no other person before he presented it to the house, and he requested me to make no mention of it, otherwise parts might be misunderstood and blown upon beforehand, and others perhaps adopted and produced by ministers as their own. I promised the closest secrecy, and kept my word, not even mentioning to any one that I had seen him. I dined with him, his family only present, and returned to town in the evening.

On the Sunday following, being the 29th, his lordship came to town and called upon me in Craven street. He brought with him his plan transcribed, in the form of an act of Parliament, which he put into my hands, requesting me to consider it carefully and communicate to him such remarks upon it as should occur to me. His reason for desiring to give me that trouble was, as he was pleased to say, that he knew no man so thoroughly acquainted with the subject or so capable of giving advice upon it; that he thought the errors of ministers in American affairs had been often owing to their not obtaining the best information; that, therefore, though he had considered the business thoroughly in all its parts, he was not so confident of his own judgment but that he came to set it right by mine, as men set their watches by a regulator. He had not determined when he should produce it in the House of Lords; but in the course of our conversation, considering the precarious situation of his health, and that if presenting it was delayed, some intelligence might arrive which would make it seem less seasonable, or in all parts not so proper; or the ministry might engage in different measures, and then say, "If you had produced your plan sooner we might have attended to it;" he concluded to offer it the Wednesday following, and therefore wished to see me upon it the preceding Tuesday, when he would again call upon me, unless I could conveniently come to Hayes. I chose the latter, in respect to his lordship, and

because there was less likelihood of interruptions, and I promised to be with him early, that we might have more time. He stayed with me near two hours, his equipage waiting at the door, and being there while people were coming from church, it was much taken notice of, and talked of, as at that time was every little circumstance that men thought might possibly any way affect American affairs. Such a visit from so great a man, on so important a business, flattered not a little my vanity, and the honor of it gave me the more pleasure, as it happened on the very day twelve months that the ministry had taken so much pains to disgrace me before the privy council.*

I applied myself immediately to the reading and considering the plan, of which, when it was afterwards published, I sent you a copy, and therefore need not insert it here. I put down upon paper, as I went along, some short memorandums for my future discourse with him upon it, which follow, that you may, if you please, compare them with the plan, and if you do so, you will see their drift and purpose, which otherwise would take me much writing to explain.

TUESDAY, January 31st, 1775.

NOTES FOR DISCOURSE WITH LORD CHATHAM ON HIS PLAN.

Voluntary grants and forced taxes not to be expected of the same people at the same time.

Permanent revenue will be objected to. Would not a temporary agreement be best, suppose for one hundred years?

Does the whole of the rights claimed in the Petition of Rights relate to England only?

The American naturalization act gives all the rights of natural-born subjects to foreigners residing there seven years. Can it be supposed, that the natives there have them not?

If the king should raise armies in America, would Britain like their being brought hither? as the king might bring them when he pleased.

An act of Parliament requires the Colonies to furnish sundry articles of provision and accommodation to troops quartered among them: this may be made very burdensome to colonies that are out of favor.

If a permanent revenue, why not the same privileges in trade with Scotland?

Should not the lands conquered by Britain and the Colonies in conjunction be given them (reserving a quitrent), whence they might form funds to enable them to pay?

Instructions about agents to be withdrawn.

Grants to be for three years, at the end of which a new Congress, and so from three to three years.

Congress to have the general defense of the frontiers, making and regulating new settlements.

Protection mutual.

We go into all your wars.

Our settlements cost you nothing.

Take the plan of union.

'Defense, extension, and prosperity of?' The late Canada act prevents their extension and may check their prosperity.

Laws should be secure as well as charters.

Perhaps if the legislative power of Parliament is owned in the Colonies they may make a law to forbid the meeting of any Congress, etc.

* In the affair of the Hutchinson Letters; see *supra*, pp. 6-8, n.

I was at Hayes early on Tuesday, agreeably to my promise, when we entered into consideration of the plan; but, though I staid nearly four hours, his lordship in the manner of, I think, all eloquent persons, was so full and diffuse in supporting every particular I questioned, that there was not time to go through half my memorandums. He is not easily interrupted, and I had such pleasure in hearing him that I found little inclination to interrupt him. Therefore, considering that neither of us had much expectation that the plan would be adopted entirely as it stood; that, in the course of its consideration, if it should be received, proper alterations might be introduced; that before it would be settled, America should have opportunity to make her objections and propositions of amendment; that to have it received at all here, it must seem to comply a little with some of the prevailing prejudices of the legislature; that, if it was not so perfect as might be wished, it would at least serve as a basis for treaty, and in the meantime prevent mischiefs, and that, as his lordship had determined to offer it the next day, there was not time to make changes and another fair copy; I therefore ceased my querying, and though afterwards many people were pleased to do me the honor of supposing I had a considerable share in composing it, I assure you that the addition of a single word only was made at my instance, viz, "*constitutions*" after "*charters*," for my filling up at his request a blank with the titles of acts proper to be repealed, which I took from the proceedings of the Congress, was no more than might have been done by any copying clerk.

On Wednesday, Lord Stanhope, at Lord Chatham's request, called upon me, and carried me down to the House of Lords, which was soon very full. Lord Chatham, in a most excellent speech, introduced, explained, and supported his plan. When he sat down, Lord Dartmouth rose, and very properly said, it contained matter of such weight and magnitude as to require much consideration; and he therefore hoped the noble earl did not expect their lordships to decide upon it by an immediate vote, but would be willing it should lie upon the table for consideration. Lord Chatham answered readily that he expected nothing more.

But Lord Sandwich* rose, and in a petulant, vehement speech, opposed its being received at all, and gave his opinion that it ought to be immediately *rejected*, with the contempt it deserved. That he could never believe it to be the production of any British peer. That it appeared to him rather the work of some American; and, turning his face towards me, who was leaning on the bar, said, he fancied he had in his eye the person who drew it up, one of the bitterest and most mischievous enemies this country had ever known. This drew the eyes of many lords upon me; but, as I had no inducement to take it to myself, I kept my countenance as immovable as if my features had been made

*As to the character of Sandwich, see note under date of Feb. 5, 1778, and also introduction, § 21.

of wood. Then several other lords of the administration gave their sentiments for rejecting it, of which opinion also was strongly the *wise* Lord Hillsborough. But the Dukes of Richmond and Manchester, Lord Shelburne, Lord Camden, Lord Temple, Lord Lyttleton, and others, were for receiving it, some through approbation, and others for the character and dignity of the house. One lord mentioning with applause, the candid proposal of one of the ministers, Lord Dartmouth, his lordship rose again, and said, that having since heard the opinions of so many lords against receiving it, to lie upon the table for consideration, he had altered his mind, could not accept the praise offered him for a candor of which he was now ashamed, and should therefore give his voice for rejecting the plan immediately.

I am the more particular in this, as it is a trait of that nobleman's character, who from his office is supposed to have so great a share in American affairs, but who has in reality no will or judgment of his own, being, with dispositions for the best measures, easily prevailed with to join in the worst.

Lord Chatham, in his reply to Lord Sandwich, took notice of his illiberal insinuation, that the plan was not the person's who proposed it; declared that it was entirely his own; a declaration he thought himself the more obliged to make, as many of their lordships appeared to have so mean an opinion of it; for if it was so weak or so bad a thing, it was proper in him to take care that no other person should unjustly share in the censure it deserved. That it had been heretofore reckoned his vice not to be apt to take advice; but he made no scruple to declare, that, if he were the first minister of this country, and had the care of settling this momentous business, he should not be ashamed of publicly calling to his assistance a person so perfectly acquainted with the whole of American affairs as the gentleman alluded to, and so injuriously reflected on; one, he was pleased to say, whom all Europe held in high estimation for his knowledge and wisdom, and ranked with our Boyles and Newtons; who was an honor, not to the English nation only, but to human nature! I found it harder to stand this extravagant compliment than the preceding equally extravagant abuse; but kept as well as I could an unconcerned countenance, as not conceiving it to relate to me.

To hear so many of these *hereditary* legislators declaiming so vehemently against, not the adopting merely, but even the *consideration* of a proposal so important in its nature, offered by a person of so weighty a character, one of the first statesmen of the age, who had taken up this country when in the lowest despondency, and conducted it to victory and glory, through a war with two of the mightiest kingdoms in Europe; to hear them censuring his plan, not only for their own misunderstandings of what was in it, but for their imaginations of what was not in it, which they would not give themselves an opportunity of rectifying by a second reading; to perceive the total ignorance of the

subject in some, the prejudice and passion of others, and the willful perversion of plain truth in several of the ministers; and, upon the whole, to see it so ignominiously rejected by so great a majority, and so hastily too, in breach of all decency, and prudent regard to the character and dignity of their body, as a third part of the national legislature, gave me an exceeding mean opinion of their abilities, and made their claim of sovereignty over three millions of virtuous, sensible people in America seem the greatest of absurdities, since they appeared to have scarce discretion enough to govern a herd of swine. *Hereditary legislators!* thought I. There would be more propriety, because less hazard of mischief, in having (as in some university of Germany) *hereditary professors of mathematics!* But this was a hasty reflection; for the *elected* House of Commons is no better, nor ever will be while the electors receive money for their votes, and pay money wherewith ministers may bribe their representatives when chosen.

After this proceeding I expected to hear no more of any negotiation for settling our difference amicably; yet, in a day or two, I had a note from Mr. Barclay, requesting a meeting at Dr. Fothergill's, the 4th of February, in the evening. I attended accordingly, and was surprised by being told that a very good disposition appeared in administration; that the "hints" had been considered, and several of them thought reasonable, and that others might be admitted with small amendments. The good doctor, with his usual philanthropy, expatiated on the miseries of war; that even a bad peace was preferable to the most successful war; that America was growing in strength; and, whatever she might be obliged to submit to at present, she would in a few years be in a condition to make her own terms.

Mr. Barclay hinted how much it was in my power to promote an agreement; how much it would be to my honor to effect it; and that I might expect, not only restoration of my old place, but almost any other I could wish for, etc. I need not tell you, who know me so well, how improper and disgusting this language was to me. The doctor's was more suitable. Him I answered, that we did not wish for war, and desired nothing but what was reasonable and necessary for our security and well-being. To Mr. Barelay I replied, that the ministry, I was sure, would rather give me a place in a cart to Tyburn, than any other place whatever; and to both, that I sincerely wished to be serviceable; that I needed no other inducement than to be shown how I might be so; but saw they imagined more to be in my power than really was. I was then told again, that conferences had been held upon the "hints;" and the paper being produced was read, that I might hear the observations that had been made upon them separately, which were as follows:

- (1) The first article was approved.
- (2) The second agreed to, so far as related to the repeal of the tea act. But repayment of the duties that had been collected was refused.

(3) The third not approved, as it implied a deficiency of power in the Parliament that made those acts.

(4) The fourth approved.

(5) The fifth agreed to, but with a reserve, that no change prejudicial to Britain was to be expected.

(6) The sixth agreed to, so far as related to the appropriation of the duties; but the appointment of the officers and their salaries to remain as at present.

(7) The seventh, relating to aids in time of peace, agreed to.

(8) The eighth, relating to the troops, was inadmissible.

(9) The ninth could be agreed to, with this difference, that no proportion should be observed with regard to preceding taxes, but each colony should give at pleasure.

(10) The tenth agreed to, as to the restitution of Castle William; but the restriction on the crown in building fortresses refused.

(11) The eleventh refused absolutely, except as to the Boston port bill, which would be repealed; and the Quebec act might be so far amended, as to reduce that province to its ancient limits. The other Massachusetts acts, being real amendments of their constitution, must for that reason be continued, as well as to be a standing example of the power of Parliament.

(12) The twelfth agreed to, that the judges should be appointed during good behaviour, on the assemblies providing permanent salaries, such as the crown should approve of.

(13) The thirteenth agreed to, provided the assemblies make provision as in the preceding article.

(15) The fifteenth agreed to.

(16) The sixteenth agreed to, supposing the duties paid to the colony treasuries.

(17) The seventeenth inadmissible.

We had not at this time a great deal of conversation upon these points; for I shortened it by observing, that, while the Parliament claimed and exercised a power of altering our constitutions at pleasure, there could be no agreement; for we were rendered unsafe in every privilege we had a right to, and were secure in nothing. And, it being hinted how necessary an agreement was for America, since it was so easy for Britain to burn all our seaport towns, I grew warm, said that the chief part of my little property consisted of houses in those towns; that they might make bonfires of them whenever they pleased; that the fear of losing them would never alter my resolution to resist to the last that claim of Parliament; and that it behooved this country to take care what mischief it did us; for that sooner or later it would certainly be obliged to make good all damages with interest! The doctor smiled, as I thought, with some approbation of my discourse, passionate as it was, and said he would certainly repeat it to-morrow to Lord Dartmouth.

In the discourse concerning the "hints," Mr. Barclay happened to mention, that, going to Lord Hyde's he found Lord Howe with him; and that Lord Hyde had said to him, "You may speak anything before Lord Howe that you have to say to me, for he is a friend in whom I confide;" upon which he accordingly had spoken with the same freedom as usual. By this I collected how Lord Howe came by the paper of "hints," which he had shown me. And, it being mentioned as a measure thought of, to send over a commissioner with powers to inquire into grievances and give redress on certain conditions, but that it was difficult to find a proper person, I said, "Why not Lord Hyde? He is a man of prudence and temper, a person of dignity, and, I should think, very suitable for such an employment; or, if he would not go, there is the other person you just mentioned, Lord Howe, who would, in my opinion, do excellently well." This passed as mere conversation, and we parted.

Lord Chatham's rejected plan being printed for the public judgment, I received six copies from Lord Mahon, his son-in-law, which I sent to different persons in America.

A week and more passed, in which I heard nothing further of any negotiation, and my time was much taken up among the members of Parliament, when Mr. Barclay sent me a note to say that he was indisposed but desirous of seeing me, and should be glad if I would call on him. I waited upon him the next morning when he told me that he had seen Lord Hyde, and had some further discourse with him on the Articles; that he thought himself now fully possessed of what would do in this business; that he therefore wished another meeting with me and Dr. Fothergill, when he would endeavor to bring prepared a draught conformable chiefly to what had been proposed and conceded on both sides, with some propositions of his own. I readily agreed to the meeting, which was to be on Thursday evening, February 16.

We met accordingly, when Mr. Barclay produced the following paper, viz:

**A PLAN, WHICH, IT IS BELIEVED, WOULD PRODUCE A PERMANENT UNION BETWEEN
GREAT BRITAIN AND HER COLONIES.**

1. The tea destroyed to be paid for; and in order that no time may be lost to begin the desirable work of conciliation, it is proposed that the agent or agents, in a petition to the king, should engage that the tea destroyed shall be paid for; and, in consequence of that engagement, a commissioner to have authority, by a clause in an act of Parliament, to open the port (by a suspension of the Boston portact) when that engagement shall be complied with.

2. The tea-duty act to be repealed, as well for the advantage of Great Britain as the Colonies.

3. Castle William to be restored to the province of Massachusetts Bay, as formerly, before it was delivered up by Governor Hutchinson.

4. As it is believed that the commencement of conciliatory measures will, in a considerable degree, quiet the minds of the subjects in America, it is proposed that the inhabitants of the province of the Massachusetts Bay should petition the king and state their objections to the said act. And it is to be understood, that the said

act shall be repealed. *Interim*, the commissioner to have power to suspend the act, in order to enable the inhabitants to petition.

5. The several provinces who may think themselves aggrieved by the Quebec bill, to petition in their legislative capacities; and it is to be *understood* that so far of the act as extends the limits of Quebec beyond its ancient bounds, is to be repealed.

6. The act of Henry the Eighth to be formally disclaimed by Parliament.

7. In time of *peace* the Americans to raise within their respective provinces, by acts of their own legislatures, a certain sum or sums, such as *may be thought* necessary for a peace establishment, to pay governors, judges, etc. Vide *Laws of Jamaica*.

8. In time of *war*, on requisition made by the king, with consent of Parliament, every colony shall raise such sums of money as their legislatures may think suitable to their abilities and the public exigency, to be laid out in raising and paying men for land or sea service, furnishing provisions, transports, or such other purposes as the king shall require and direct.

9. The acts of navigation to be re-examined in order to see whether some alterations might not be made therein, as much for the advantage of Great Britain as the ease of the Colonies.

10. A naval officer to be appointed by the Crown to reside in each colony, to see those acts observed.

N. B. In some colonies they are *not* appointed by the Crown.

11. All duties arising on the acts for regulating trade with the Colonies to be for the public use of the respective Colonies and paid into their treasuries, and an officer of the Crown to see it done.

12. The admiralty courts to be reduced to the same powers as they have in England.

13. All judges in the king's colony governments to be appointed during good behaviour, and to be paid by the province, agreeable to article seventh.

N. B. If the king chooses to add to their salaries, the same to sent from England.

14. The governors to be supported in the same manner.

Our conversation turned chiefly upon the *first* article. It was said that the ministry only wanted some opening to be given them, some ground on which to found the commencement of conciliating measures; that a petition containing such an engagement as mentioned in this article would answer that purpose; that preparations were making to send over more troops and ships; that such a petition might prevent their going, especially if a commissioner were proposed. I was therefore urged to engage the colony agents to join with me in such a petition. My answer was, that no agent had anything to do with the tea business but those for Massachusetts Bay, who were Mr. Bollan for the council, myself for the assembly, and Mr. Lee, appointed to succeed me when I should leave England; that the latter, therefore, could hardly yet be considered as an agent; and that the former was a cautious, exact man, and not easily persuaded to take steps of such importance without instructions or authority; that, therefore, if such a step were to be taken, it would lie chiefly on me to take it; that, indeed, if there were, as they supposed, a clear probability of good to be done by it, I should make no scruple of hazarding myself in it; but I thought the empowering a commissioner to suspend the Boston port act was a method too dilatory, and a mere suspension would not be satisfactory; that, if such an engagement were entered into, all the Massachusetts acts should be immediately repealed.

They laid hold of the readiness I had expressed to petition on a probability of doing good, applauded it, and urged me to draw up a petition immediately. I said it was a matter of importance, and with their leave I would take home the paper, consider the propositions as they now stood, and give them my opinion to-morrow evening. This was agreed to, and for that time we parted.

Weighing now the present dangerous situation of affairs in America, and the daily hazard of widening the breach there irreparably, I embraced the idea proposed in the paper of sending over a commissioner, as it might be a means of suspending military operations, and bring on a treaty, whereby mischief would be prevented, and an agreement by degrees be formed and established. I also concluded to do what had been desired of me as to the engagement, and essayed a draught of a memorial to Lord Dartmouth for that purpose simply, to be signed only by myself. As to the sending of a commissioner, a measure which I was desired likewise to propose, and express my sentiments of its utility, I apprehended my colleagues in the agency might be justly displeased if I took a step of such importance without consulting them, and therefore I sketched a joint petition to that purpose, for them to sign with me if they pleased; but, apprehending that would meet with difficulty, I drew up a letter to Lord Dartmouth, containing the same proposition, with the reasons for it, to be sent from me only. I made also upon paper some remarks on the propositions; with some hints, on a separate paper, of further remarks to be made in conversation, when we should meet in the evening of the 17th. Copies of these papers (except the first, which I do not find with me on shipboard) are here placed as follows, viz:

TO THE KING'S MOST EXCELLENT MAJESTY:

The PETITION and MEMORIAL of W. Bollan, B. Franklin, and Arthur Lee, Most humbly sheweth; That your petitioners, being agents for several colonies, and deeply affected with the apprehension of impending calamities that now threaten your majesty's subjects in America, beg leave to approach your throne, and to suggest with all humility their opinion, formed on much attentive consideration, that, if it should please your majesty to permit and authorize a meeting of delegates from the different provinces, and appoint some person or persons of dignity and wisdom from this country to preside in that meeting, or to confer with the said delegates, acquaint themselves fully with the true grievances of the Colonies, and settle the means of composing all dissensions, such means to be afterward ratified by your majesty, if found just and suitable; your petitioners are persuaded, from their thorough knowledge of that country and people, that such a measure might be attended with the most salutary effects, prevent much mischief, and restore the harmony which so long subsisted, and is so necessary to the prosperity and happiness of all your majesty's subjects in every part of your extensive dominions; which, that Heaven may preserve entire to your majesty and your descendants, is the sincere prayer of your majesty's most dutiful subjects and servants.

To the Right Honorable Lord Dartmouth:

MY LORD: Being deeply apprehensive of the impending calamities that threaten the nation and its colonies through the present unhappy dissensions, I have attentively considered by what possible means those calamities may be prevented. The

great importance of a business which concerns us all will, I hope, in some degree excuse me to your lordship if I presume, unasked, to offer my humble opinion that should his majesty think fit to authorize delegates from the several provinces to meet at such convenient time and place as in his wisdom shall seem meet, then and there to confer with a commissioner or commissioners to be appointed and empowered by his majesty, on the means of establishing a firm and lasting union between Britain and the American provinces, such a measure might be effectual for that purpose. I can not, therefore, but wish it may be adopted, as no one can more ardently and sincerely desire the general prosperity of the British dominions than, my lord, your lordship's most obedient, etc.

B. FRANKLIN.

REMARKS ON THE PROPOSITIONS.

ARTICLE 1. In consequence of that engagement, all the Boston and Massachusetts acts to be suspended, and, in compliance with that engagement, to be totally repealed.

By this amendment article fourth will become unnecessary.

ART. 4 and 5. The numerous petitions heretofore sent home by the colony assemblies, and either refused to be received, or received and neglected, or answered harshly, and the petitioners rebuked for making them, have, I conceive, totally discouraged that method of application; and, if even their friends were now to propose to them the recurring again to petitioning, such friends would be thought to trifle with them. Besides, all they desire is now before government in the petition of the Congress, and the whole or parts may be granted or refused at pleasure. The sense of the Colonies can not be better obtained by petition from different colonies, than it is by that general petition.

ART. 7. Read *such as they may think necessary.*

ART. 11. As it stands, of little importance. The first proposition was that they should be repealed as unjust. But they may remain, for they will probably not be executed.

Even with the amendment proposed above to article first, I can not think it stands as it should do. If the object be merely the preventing present bloodshed and the other mischiefs to fall on that country in war, it may possibly answer that end; but if a thorough, hearty reconciliation is wished for, all cause of heart burning should be removed and strict justice be done on both sides. Thus the tea should not only be paid for on the side of Boston, but the damage done to Boston by the port act should be repaired, because it was done contrary to the custom of all nations, savage as well as civilized, of first demanding satisfaction.

ART. 14. The judges should receive nothing from the king.

As to the other two acts, the Massachusetts must suffer all the hazards and mischiefs of war, rather than admit the alteration of their charters and laws by Parliament. "They who can give up essential liberty to obtain a little temporary safety, deserve neither liberty nor safety."

B. FRANKLIN.

HINTS.

I doubt the regulating duties will not be accepted, without enacting them, and having the power of appointing the collectors, in the colonies.

If we mean a hearty reconciliation, we must deal candidly, and use no tricks.

The assemblies are many of them in a state of dissolution. It will require time to make new elections; then to meet and choose delegates, supposing all could meet. But the Assembly of the Massachusetts Bay can not act under the new constitution, nor meet the new council for that purpose, without acknowledging the power of Parliament to alter their charter, which they never will do. The language of the proposal is: *Try on your letters first, and then, if you don't like them, petition and we will consider.*

Establishing salaries for judges may be a general law. For governors not so, the constitution of colonies differing. It is possible troops may be sent to *particular* provinces to burden them when they are out of favor.

Canada. We can not endure despotism over any of our fellow subjects. We must all be free, or none.

That afternoon I received the following note from Mrs. Howe, inclosing another from Lord Howe, viz:

Mrs. Howe's compliments to Dr. Franklin. She has just received the inclosed note from Lord Howe, and hopes it will be convenient to him to come to her, either tomorrow or Sunday, at any hour most convenient to him, which she begs he will be so good to name.

GRAFTON STREET, Friday, February 17th, 1775.

Inclosed in the foregoing:

To the Honorable Mrs. Howe:

I wish you to procure me an opportunity to see Dr. Franklin at your house tomorrow, or on Sunday morning, for an essential purpose.

GRAFTON STREET, Friday, 4 o'clock.

[Received Friday, 5 o'clock, February 17, 1775.]

I had not heard from his lordship for some time, and readily answered that I would do myself the honor of waiting upon him at her house tomorrow at 11 o'clock.

Mr. Barclay, Dr. Fothergill, and myself, met according to appointment at the doctor's house. I delivered to them the "remarks" I had made on the paper, and we talked them over. I read also the sketches I had made of the petitions and memorials; but, they being of opinion that the repeal of none of the Massachusetts acts could be obtained by my engaging to pay for the tea, the Boston port act excepted, and I insisting on a repeal of *all*, otherwise declining to make the offer, that measure was deferred for the present, and I pocketed my drafts. They concluded, however, to report my sentiments, and see if any further concession could be obtained. They observed, too, that I had signed my "remarks;" on which I said, that understanding by other means, as well as from them, that the ministers had been acquainted with my being consulted in this business, I saw no occasion for further mystery; and, since in conveying and receiving through second hands their sentiments and mine occasioned delay, and might be attended with misapprehension, something being lost or changed by mistake in the conveyance, I did not see why we should not meet and discuss the points together at once; that, if this was thought proper, I should be willing and ready to attend them to the ministerial persons they conferred with. They seemed to approve the proposal, and said they would mention it.

The next morning I met Lord Howe, according to appointment. He seemed very cheerful, having, as I imagine, heard from Lord Hyde what that lord might have heard from Mr. Barclay the evening of the 16th, viz, that I had consented to petition, and engage payment for the tea; whence it was hoped, the ministerial terms of accommodation might

take place. He let me know, that he was thought of to be sent commissioner for settling the differences in America: adding, with an excess of politeness, that, sensible of his own unacquaintedness with the business, and of my knowledge and abilities, he could not think of undertaking it without me; but, with me, he should do it most readily; for he should found his expectation of success on my assistance. He therefore had desired this meeting, to know my mind upon a proposition of my going with him in some shape or other, as a friend, an assistant, or secretary; that he was very sensible, if he should be so happy as to effect anything valuable, it must be wholly owing to the advice and assistance I should afford him; that he should therefore make no scruple of giving me upon all occasions the full honor of it; that he had declared to the ministers his opinion of my good disposition towards peace, and what he now wished was to be authorized by me to say, that I consented to accompany him, and would co-operate with him in the great work of reconciliation. That the influence I had over the minds of people in America was known to be very extensive: and that I could, if any man could, prevail with them to comply with reasonable propositions.

I replied, that I was obliged to his lordship for the favorable opinion he had of me, and for the honor he did me in proposing to make use of my assistance; that I wished to know what propositions were intended for America; that, if they were reasonable ones in themselves, possibly I might be able to make them appear such to my countrymen; but, if they were otherwise, I doubted whether that could be done by any man, and certainly I should not undertake it. His lordship then said, that he should not expect my *assistance* without a *proper consideration*. That the business was of great importance; and, if he undertook it, he should insist on being enabled to make *generous* and *ample* appointments for those he took with him, particularly for me; as well as a firm promise of *subsequent rewards*. "And," said he, "that the ministry may have an opportunity of showing their good disposition towards yourself, will you give me leave, Mr. Franklin, to procure for you previously some mark of it; suppose the payment here of the arrears of your salary, as agent for New England, which I understand they have stopped for some time past?" "My lord," said I, "I shall deem it a great honor to be in any shape joined with your lordship in so good a work; but, if you hope service from any influence I may be supposed to have, drop all thoughts of procuring me any previous favors from ministers; my accepting them would destroy the very influence you propose to make use of; they would be considered as so many bribes to betray the interest of my country; but only let me see the *propositions*, and, if I approve of them, I shall not hesitate a moment, but will hold myself ready to accompany your lordship at an hour's warning." He then said he wished I would discourse with Lord Hyde upon the business, and asked if I had any objection to meet his lordship. I answered, none, not the least; that I had a great respect for Lord Hyde, and would

wait upon him whenever he should please to permit it. He said he would speak to Lord Hyde, and send me word.

On the Monday following, I received a letter from Lord Howe. To understand it better, it is necessary to reflect, that in the meantime there was opportunity for Mr. Barclay to communicate to that nobleman the "remarks" I had made on the plan, the sight of which had probably changed the purpose of making any use of me on the occasion. The letter follows:

GRAFTON STREET, February 20th, 1775.

Not having had a convenient opportunity to talk with Lord Hyde until this morning, on the subject I mentioned when I had, my worthy friend, the pleasure to see you last, I now give you the earliest information of his lordship's sentiments upon my proposition.

He declares he has no personal objection, and that he is always desirous of the conversation of men of knowledge, consequently, in that respect, would have a pleasure in yours. But he apprehends, that on the present American contest your principles and his, or rather those of Parliament, are as yet so wide from each other, that a meeting merely to discuss them might give you unnecessary trouble. Should you think otherwise, or should any propitious circumstances approximate such distant sentiments, he would be happy to be used as a channel to convey what might tend to harmony from a person of credit to those in power. And I will venture to advance, from my knowledge of his lordship's opinion of men and things, that nothing of that nature would suffer in the passage.

I am, with sincere regard, your most obedient servant,

HOWE.

To Dr. FRANKLIN.

As I had no desire of obtruding myself upon Lord Hyde, though a little piqued at his declining to see me, I thought it best to show a decent indifference, which I endeavored in the following answer:

CAVEN STREET, February 20th, 1775.

Having nothing to offer on the American business in addition to what Lord Hyde is already acquainted with from the papers that have passed, it seems most respectful not to give his lordship the trouble of a visit; since a mere discussion of the sentiments contained in those papers is not, in his opinion, likely to produce any good effect. I am thankful, however, to his lordship for the permission of waiting on him, which I shall use if anything occurs that may give a chance of utility in such an interview.

With sincere esteem and respect, I have the honor to be, my lord, your lordship's most obedient humble servant,

B. FRANKLIN.

To Lord HOWE.

On the morning of the same day, February 20th, it was currently and industriously reported all over the town that Lord North would that day make a pacific motion in the House of Commons for healing all differences between Britain and America. The House was accordingly very full, and the members full of expectation. The Bedford party, inimical to America, and who had urged severe measures, were alarmed, and began to exclaim against the minister for his timidity, and the fluctuation of his politics; they even began to count voices, to see

if they could not, by negativing his motion, at once unhorse him, and throw him out of administration. His friends were therefore alarmed for him, and there was much caballing and whispering. At length a motion, as one had been promised, was made, but whether that originally intended, is with me very doubtful. I suspect, from its imperfect composition, from its inadequateness to answer the purpose previously professed, and from some other circumstances, that, when first drawn, it contained more of Mr. Barclay's plan, but was curtailed by advice, just before it was delivered. My old proposition of giving up the regulating duties to the Colonies was in part to be found in it; and many, who knew nothing of that transaction, said it was the best part of the motion. It was as follows:

LORD NORTH'S MOTION, FEBRUARY 20TH, 1775.

That it is the opinion of this committee, that, when the governor, council, and assembly, or general court, of his majesty's provinces or colonies shall propose to make provision according to their respective conditions, circumstances, and situations, for contributing their proportion to the common defense, such proportion to be raised under the authority of the general court or general assembly of such province or colony, and disposable by Parliament, and shall engage to make provision also for the support of the civil government and the administration of justice in such province or colony, it will be proper, if such proposal shall be approved by his majesty in Parliament, and for so long as such provision shall be made accordingly, to forbear, in respect of such province or colony, to levy any duties, tax, or assessment, or to impose any further duty, tax, or assessment, except only such duties as it may be expedient to impose for the regulation of commerce; the net produce of the duties last mentioned to be carried to the account of such province, colony, or plantation, exclusively.

After a good deal of wild debate, in which this motion was supported upon various and inconsistent principles by the ministerial people, and even met with an opposition from some of them, which showed a want of concert, probably from the suddenness of the alterations above supposed, they all agreed at length, as usual, in voting it by a large majority.

Hearing nothing during all the following week from Messrs. Barclay and Fothergill (except that Lord Hyde, when acquainted with my willingness to engage for the payment of the tea, had said it gave him *new life*), nor anything from Lord Howe, I mentioned his silence occasionally to his sister, adding, that I supposed it owing to his finding what he had proposed to me was not likely to take place; and I wished her to desire him, if that was the case, to let me know it by a line, that I might be at liberty to take other measures. She did so as soon as he returned from the country, where he had been for a day or two, and I received from her the following note:

Mrs. Howe's compliments to Dr. Franklin. Lord Howe not quite understanding the message received from her, will be very glad to have the pleasure of seeing him, either between 12 and 1 this morning (the only hour he is at liberty this day), at her house, or at any hour to-morrow most convenient to him.

GRAFTON STREET, Tuesday.

I met his lordship at the hour appointed. He said that he had not seen me lately, as he expected daily to have something more material to say to me than had yet occurred, and hoped that I would have called on Lord Hyde, as I had intimated I should do when I apprehended it might be useful, which he was sorry to find I had not done. That there was something in my verbal message by Mrs. Howe, which perhaps she had apprehended imperfectly; it was the hint of my purpose to take other measures. I answered, that having, since I had last seen his lordship, heard of the death of my wife at Philadelphia, in whose hands I had left the care of my affairs there, it was become necessary for me to return thither as soon as conveniently might be; that what his lordship had proposed of my accompanying him to America might, if likely to take place, postpone my voyage to suit his convenience; otherwise, I should proceed by the first ship; that I did suppose by not hearing from him, and by Lord North's motion, all thoughts of that kind were laid aside, which was what I only desired to know from him.

He said, my last paper of "remarks" by Mr. Barclay, wherein I had made the indemnification of Boston, for the injury of stopping its port, a condition of my engaging to pay for the tea (a condition impossible to be complied with), had discouraged further proceeding on that idea. Having a copy of that paper in my pocket, I showed his lordship that I had proposed no such condition of my engagement, nor any other than the repeal of all the Massachusetts acts. That what followed relating to the indemnification was only expressing my private opinion, that it would be just, but by no means insisting upon it. He said the arrangements were not yet determined on; that, as I now explained myself, it appeared I had been much misapprehended; and he wished of all things I would still see Lord Hyde, and asked if I would choose to meet him there (at Mrs. Howe's), or that he should call upon me. I said that I would by no means give Lord Hyde that trouble. That, since he (Lord Howe) seemed to think it might be of use, and wished it done soon, I would wait upon Lord Hyde. I knew him to be an early riser, and would be with him at 8 o'clock the next morning, which Lord Howe undertook to acquaint him with. But I added that, from what circumstances I could collect of the disposition of ministry, I apprehended my visit would answer no material purpose. He was of a different opinion, to which I submitted.

The next morning, March 1, I accordingly was early with Lord Hyde, who received me with his usual politeness. We talked over a great part of the dispute between the countries. I found him ready with all the newspaper and pamphlet topics; of the expense of settling our colonies, the protection afforded them, the heavy debt under which Britain labored, the equity of our contributing to its alleviation; that many people in England were no more represented than we were, yet all were taxed and governed by Parliament, etc. I answered all, but with little effect; for, though his lordship seemed civilly to hear what

I said, I had reason to believe he attended very little to the purport of it, his mind being employed the while in thinking on what he himself purposed to say next.

He had hoped, he said, that Lord North's motion would have been satisfactory, and asked what could be objected to it. I replied, the terms of it were that we should grant money till Parliament had agreed we had given enough, without having the least share in judging of the propriety of the measure for which it was to be granted, or of our own abilities to grant; that these grants were also to be made under a threat of exercising a claimed right of taxing us at pleasure, and compelling such taxes by an armed force, if we did not give till it should be thought we had given enough; that the proposition was similar to no mode of obtaining aids that ever existed, except that of a highwayman, who presents his pistol and hat at a coach window, demanding no specific sum, but, if you will give all your money, or what he is pleased to think sufficient, he will civilly omit putting his own hand into your pockets; if not, there is his pistol. That the mode of raising contributions in an enemy's country was fairer than this, since there an explicit sum was demanded, and the people who were raising it knew what they were about, and when they should have done; and that, in short, no free people could ever think of beginning to grant upon such terms. That, besides, a new dispute had now been raised by the Parliament's pretending to a power of altering our charters and established laws, which was of still more importance to us than their claim of taxation, as it set us all adrift, and left us without a privilege we could depend upon, but at their pleasure; this was a situation we could not possibly be in; and, as Lord North's proposition had no relation to this matter, if the other had been such as we could have agreed to, we should still be far from a reconciliation.

His lordship thought I misunderstood the proposition, on which I took it out and read it. He then waived that point, and said he should be glad to know from me what would produce a reconciliation. I said that his lordship, I imagined, had seen several proposals of mine for that purpose. He said he had; but some of my articles were such as would never be agreed to. That it was apprehended I had several instructions and powers to offer more acceptable terms, but was extremely reserved, and perhaps from a desire he did not blame, of doing better for my constituents; but my expectations might deceive me; and he did think I might be assured I should never obtain better terms than what were now offered by Lord North. That administration had a sincere desire of restoring harmony with America; and it was thought, if I would co-operate with them, the business would be easy. That he hoped I was above retaining resentment against them, for what nobody now approved, and for which satisfaction might be made me; that I was, as he understood, in high esteem among the Americans: that, if I would bring about a reconciliation on terms suitable to the dignity of

government, I might be as highly and generally esteemed here, and be honored and *revered*, perhaps, *beyond my expectation*.

I replied that I thought I had given a convincing proof of my sincere desire of promoting peace, when, on being informed that all wanted for the honor of government was, to obtain payment for the tea, I offered, without any instruction to warrant my so doing, or assurance that I should be reimbursed, or my conduct approved, to engage for that payment, if the Massachusetts acts were to be repealed; an engagement in which I must have risked my whole fortune, which I thought few besides me would have done. That, in truth, private resentments had no weight with me in public business; that I was not the reserved man imagined, having really no secret instructions to act upon. That I was certainly willing to do everything that could reasonably be expected of me. But, if any supposed I could prevail with my countrymen to take black for white, and wrong for right, it was not knowing either them or me; they were not capable of being so imposed on, nor was I capable of attempting it.

He then asked my opinion of sending over a commissioner, for the purpose mentioned in a preceding part of this account, and my answer was to the same effect. By the way, I apprehend, that to give me an opportunity of discoursing with Lord Hyde on that point, was a principal motive with Lord Howe for urging me to make this visit. His lordship did not express his own sentiments upon it. And thus ended this conversation.

Three or four days after, I received the following note from Mrs. Howe:

Mrs. Howe's compliments to Dr. Franklin. Lord Howe begs to have the pleasure of meeting him once more before he goes, at her house; he is at present out of town, but returns on Monday; and any day or hour after that, that the doctor will name, he will be very glad to attend him.

GRAFTON STREET, Saturday, March 4th.

I answered, that I would do myself the honor of waiting on Lord Howe, at her house, the Tuesday following, at 11 o'clock. We met accordingly. He began by saying, that I had been a better prophet than himself, in foreseeing that my interview with Lord Hyde would be of no great use; and then said, that he hoped I would excuse the trouble he had given me, as his intentions had been good both towards me and the public. He was sorry, that at present there was no appearance of things going into the train he had wished, but that possibly they might yet take a more favorable turn; and, as he understood I was going soon to America, if he should chance to be sent thither on that important business, he hoped he might still expect my assistance. I assured him of my readiness at all times of co-operating with him in so good a work; and so, taking my leave, and receiving his good wishes, ended the negotiation with Lord Howe. And I heard no more of that with Messrs. Fothergill and Barclay. I could only gather, from some

hints in their conversation, that neither of them were well pleased with the conduct of the ministers respecting these transactions. And, a few days before I left London, I met them by their desire, at the doctor's house, when they desired me to assure their friends from them, that it was now their fixed opinion, that nothing could secure the privileges of America, but a firm, sober, adherence to the terms of the association made at the Congress, and that the salvation of English liberty depended now on the perseverance and virtue of America.

During the whole, my time was otherwise much taken up, by friends calling continually to inquire news from America; members of both houses of Parliament, to inform me what passed in the houses, and discourse with me on the debates, and on motions made, or to be made; merchants of London and of the manufacturing and port towns on their petitions; the Quakers, upon theirs, etc.; so that I had no time to take notes of almost anything. This account is therefore chiefly from recollection, in which doubtless much must have been omitted, from deficiency of memory; but what there is, I believe to be pretty exact; except that, discoursing with so many different persons about the same time, on the same subject, I may possibly have put down some things as said by or to one person, which passed in conversation with another.

A little before I left London, being at the house of lords, when a debate in which Lord Camden was to speak, and who indeed spoke admirably on American affairs, I was much disgusted, from the ministerial side, by many base reflections on American courage, religion, understanding, etc., in which we were treated with the utmost contempt, as the lowest of mankind, and almost of a different species from the English of Britain; but particularly the American honesty was abused by some of the lords, who asserted that we were all knaves, and wanted only by this dispute to avoid paying our debts; that, if we had any sense of equity or justice, we should offer payment of the tea, etc. I went home somewhat irritated and heated; and, partly to retort upon this nation, on the article of *equity*, drew up a memorial to present to Lord Dartmouth before my departure; but, consulting my friend, Mr. Thomas Walpole,* upon it, who is a member of the house of commons, he looked at it and at me several times alternately, as if he apprehended me a little out of my senses. As I was in the hurry of packing up, I requested him to take the trouble of showing it to his neighbor, Lord Camden, and ask his advice upon it, which he kindly undertook to do; and returned it me with a note, which here follows the proposed memorial:

A MEMORIAL OF BENJAMIN FRANKLIN, AGENT OF THE PROVINCE OF MASSACHUSETTS BAY.

To the right honorable the Earl of Dartmouth,
one of his majesty's principal secretaries of state:

Whereas an injury done can only give the party injured a right to full reparation; or, in case that be refused, a right to return an equal injury; and whereas the

* See introduction, § 202.

blockade of Boston, now continued nine months, hath every week of its continuance done damage to that town, equal to what was suffered there by the India Company; it follows that such exceeding damage is an *injury* done by this government, for which reparation ought to be made; and whereas reparation of injuries ought always (agreeably to the custom of all nations, savage as well as civilized) to be first required, before satisfaction is taken by a return of damage to the aggressors; which was not done by Great Britain in the instance above mentioned; I the underwritten do therefore, as their agent, in the behalf of my country and the said town of Boston, protest against the continuance of the said blockade; and I do hereby solemnly demand satisfaction for the accumulated injury done them, beyond the value of the India Company's tea destroyed.

And whereas the conquest of the Gulf of St. Lawrence, the coasts of Labrador and Nova Scotia, and the fisheries possessed by the French there and on the Banks of Newfoundland, so far as they were more extended than at present, was made by the joint forces of Britain and the Colonies, the latter having nearly an equal number of men in that service with the former; it follows, that the Colonies have an equitable and just right to participate in the advantage of those fisheries; I do, therefore, in the behalf of the colony of the Massachusetts Bay, protest against the act now under consideration in Parliament, for depriving that province, with others, of that fishery (on pretense of their refusing to purchase British commodities), as an act highly unjust and injurious; and I give notice, that satisfaction will probably one day be demanded for all the injury that may be done and suffered in the execution of such act; and that the injustice of the proceeding is likely to give such umbrage to *all the Colonies*, that in no future war, wherein other conquests may be meditated, either a man or a shilling will be obtained from any of them to aid such conquests, till full satisfaction be made as aforesaid.

B. FRANKLIN.

Given in London, this 16th day of March, 1775.

DEAR SIR: I return you the memorial, which it is thought might be attended with dangerous consequences to your person, and contribute to exasperate the nation.

I heartily wish you a prosperous voyage, and long health, and am, with the sincerest regard, your most faithful and obedient servant.

THOMAS WALPOLE.*

LINCOLN'S INN FIELDS, March 16th, 1775.

Mr. Walpole called at my house the next day, and, hearing I was gone to the House of Lords, came there to me, and repeated more fully what was in his note; adding, that it was thought my having no instructions directing me to deliver such a protest, would make it appear still more unjustifiable, and be deemed a national affront. I had no desire to make matters worse, and, being grown cooler, took the advice so kindly given me.

The evening before I left London, I received a note from Dr. Fothergill, with some letters to his friends in Philadelphia. In that note he desires me to get those friends "and two or three more together, and inform them, that, whatever specious pretenses are offered, they are all hollow; and that to get a larger field on which to fatten a herd of worthless parasites is all that is regarded. Perhaps it may be proper to acquaint them with David Barclay's and our united endeavors, and the effects. They will stun at least, if not convince, the most worthy, that nothing very favorable is intended, if more unfavorable articles

* See Introduction, § 202.

can not be obtained." The doctor, in the course of his daily visits among the great, in the practice of his profession, had full opportunity of being acquainted with their sentiments, the conversation everywhere turning upon the subject of America.

Franklin to Priestley.*

PHILADELPHIA, July 7, 1775.

DEAR FRIEND: The Congress met at a time when all minds were so exasperated by the perfidy of General Gage, and his attack on the country people, that propositions for attempting an accommodation were not much relished; and it has been with difficulty that we have carried another humble petition to the crown, to give Britain one more chance, one opportunity more, of recovering the friendship of the Colonies, which, however, I think she has not sense enough to embrace, and so I conclude she has lost them forever.

* 8 Spark's Franklin, 155; 5 Bigelow's Franklin, 534.

Joseph Priestley, an eminent Unitarian clergyman and liberal political economist, was a friend both of Shelburne and of Franklin; and to him Franklin, on July 7, 1775, and October 3, 1775, wrote letters explanatory of the attitude of the United States towards the mother country. Priestley, after having published several theological and scientific works of interest, became librarian and secretary to Shelburne, in which post he continued until 1780. He retired from this office with a pension, and then became pastor of a dissenting congregation at Birmingham, in which place he remained for ten years, publishing several controversial works on theology, and pursuing and publishing his scientific explorations. During the American war he had been comparatively silent, though sympathizing with Franklin; but in 1791 he published a reply to Burke's Reflections, in which he took advanced liberal ground. In that year the celebration by some of his friends (though in his absence) of the taking of the Bastile, was such a shock to local British patriotism that his house was broken into, his library and valuable manuscripts and scientific instruments, including those used in the discovery of oxygen, totally destroyed, while he and his children were compelled to fly for their lives. It was noticed that, while Burke and his followers had much to say about the destruction of libraries and insults to clergymen by French mobs, they had nothing to say in the way of disapproval of this destruction of Priestley's library, laboratory, and books. He was, it is true, compensated by the county and by private gifts; but finding himself frowned on, even by men of science, he sailed for America, and took up his residence with his son at Northumberland, Pennsylvania, where he died in 1804. In some measure the wrongs done him in England were recalled by the erection, after his death, of statues to him in Birmingham and Oxford. Except, however, in informal correspondence with Franklin, he took no active part in the peace conferences which were held from time to time during the Revolution. Nor, after his arrival in America, did he take any active interest in American politics, though the persecutions he had endured in England led him to look with constant distrust on the British policy towards the United States. But it was in the theological rather than in the political field that his interests were concentrated. Numerous as were his controversial publications, they were mainly in defense of his theological tenets against infidels on the one side, and "orthodox" Christians on the other. Though, in respect to the American war, efficient in the distribution of Franklin's letters, no papers issued from him showing that his great literary and polemical abilities were enlisted in the American cause.

She has begun to burn our seaport towns; secure, I suppose, that we shall never be able to return the outrage in kind.* She may doubtless destroy them all; but, if she wishes to recover our commerce, are these the probable means? She must certainly be distracted, for no tradesman out of Bedlam ever thought of increasing the number of his customers, by knocking them on the head, or of enabling them to pay their debts, by burning their houses. If she wishes to have us subjects, and that we should submit to her as our compound sovereign, she is now giving us such miserable specimens of her government that we shall ever detest and avoid it as a complication of robbery, murder, famine, fire, and pestilence.

You will have heard, before this reaches you, of the treacherous conduct of General Gage to the remaining people in Boston, in detaining their goods, after stipulating to let them go out with their effects, on pretense that merchants' goods were not effects; the defeat of a great body of his troops by the country people at Lexington; some other small advantages gained in skirmishes with their troops; and the action at Bunker's Hill, in which they were twice repulsed, and the third time gained a dear victory. Enough has happened, one would think, to convince your ministers that the Americans will fight, and that this is a harder nut to crack than they imagined.

We have not yet applied to any foreign power for assistance, nor offered our commerce for their friendship. Perhaps we never may; yet it is natural to think of it, if we are pressed. We have now an army on the establishment, which still holds yours besieged. My time was never more fully employed. In the morning, at 6, I am at the committee of safety, appointed by the assembly, to put the province in a state of defense, which committee holds till near 9, when I am at the Congress, and that sits till after 4 in afternoon. Both these bodies proceed with the greatest unanimity, and their meetings are well attended. It will scarce be credited in Britain that men can be as diligent with us from zeal for the public good, as with you for thousands per annum. Such is the difference between uncorrupted new states and corrupted old ones.

Great frugality and great industry are now become fashionable here. Gentlemen, who used to entertain with two or three courses, pride themselves now in treating with simple beef and pudding. By these means, and the stoppage of our consumptive trade with Britain, we shall be better able to pay our voluntary taxes for the support of our troops. Our savings in the article of trade amount to near five millions sterling per annum.

I shall communicate your letter to Mr. Winthrop; but the camp is at Cambridge, and he has as little leisure for philosophy as myself.

Believe me ever, etc.

B. FRANKLIN.

* See Introduction, § 22.

Franklin to a friend in England (probably Hartley).*

PHILADELPHIA, 3 October, 1775.

DEAR SIR: I wish as ardently as you can do for peace, and should rejoice exceedingly in co-operating with you to that end. But every ship from Britain brings some intelligence of new measures that tend more and more to exasperate; and it seems to me, that until you have found by dear experience the reducing us by force impracticable, you will think of nothing fair and reasonable.

We have as yet resolved only on defensive measures. If you would recall your forces and stay at home, we should meditate nothing to injure you. A little time so given for cooling on both sides would have excellent effects. But you will goad and provoke us. You despise us too much; and you are insensible of the Italian adage, that there is no *little enemy*. I am persuaded that the body of the British people are our friends; but they are changeable, and by your lying gazettes may soon be made our enemies. Our respect for them will proportionably diminish, and I see clearly we are on the high road to mutual family hatred and detestation. A separation of course will be inevitable. It is a million of pities so fair a plan as we have hitherto been engaged in, for increasing strength and empire with public felicity, should be destroyed by the mangling hands of a few blundering ministers. It will not be destroyed; God will protect and prosper it, you will only exclude yourselves from any share in it. We hear that more ships and troops are coming out. We know that you may do us a great deal of mischief, and are determined to bear it patiently as long as we can. But, if you flatter yourselves with beating us into submission, you know neither the people nor the country. The Congress are still sitting, and will wait the result of their *last* petition.

Yours, etc.,

B. FRANKLIN.†

Franklin to Priestley.‡

PHILADELPHIA, 3 October, 1775.

DEAR SIR: I am to set out to-morrow for the camp, and, having but just heard of this opportunity, can only write a line to say that I am well and hearty. Tell our dear, good friend Dr. Price,§ who sometimes

* 8 Sparks' Franklin, 161; 5 Bigelow's Franklin, 540.

† Sparks adds in a note: "This letter was first printed in Mr. Vaughan's edition, but without the name of the person to whom it was written, and it has never since been made public. Probably it was David Hartley." As to Hartley, see introduction, § 199.

‡ 8 Sparks' Franklin, 160; 5 Bigelow's Franklin, 539.

§ Richard Price was born in Wales, in February, 1723; was educated for the dissenting ministry, and in early life occupied several ministerial positions. He did not,

has his doubts and despondencies about our firmness, that America is determined and unanimous, a very few tories and placemen excepted, who will probably soon export themselves. Britain, at the expense of three millions, has killed one hundred and fifty Yankees this campaign, which is twenty thousand pounds a head; and at Bunker's Hill she gained a mile of ground, half of which she lost again by our taking post on Ploughed Hill. During the same time sixty thousand children have been born in America. From these *data* his mathematical head will easily calculate the time and expense necessary to kill us all, and conquer our whole territory. My sincere respects to ——, and to the club of honest whigs at ——. Adieu.

I am ever, yours, most affectionately,

B. FRANKLIN.*

Secret Journals of Congress.†

NOVEMBER 29, 1775.

Resolved, That a committee of five be appointed for the sole purpose of corresponding with our friends in Great Britain, Ireland, and other parts of the world, and that they lay their correspondence before Congress when directed.

Resolved, That this Congress will make provision to defray all such expenses as may arise by carrying on such a correspondence, and for the payment of such agents as they may send on this service.

however, confine himself to theological questions. In 1769 he published a tract on reversionary payments, which had an immense circulation, and which contributed largely to the abolition of the evils which he attacked. This was followed, in 1772, by a paper on the national debt, to which it was said Pitt was indebted for his conception of the sinking fund. What, however, brought Price most prominently before the public on both sides of the Atlantic, was his treatise on "Civil Liberty, and the justice and policy of the War with America." Of this work, which appeared in 1776, 60,000 copies were distributed. Of his election by Congress to take charge of the finances of the United States, notice will be hereafter taken. (See index, title Price.) He was one of the school of political economists who attached themselves to Shelburne, and shared the sometimes capricious patronage of that eminent statesman. Dr. Price died in London in 1791. (See further as to Price, Franklin to Gates, Aug. 28, 1776, *infra*.)

* Mr. Sparks adds in a note: "On the 30th of September Congress appointed Dr. Franklin, Mr. Lynch, and Mr. Harrison as a committee to confer with General Washington concerning the best mode of supporting and regulating the Continental Army. The committee proceeded to the camp at Cambridge, and the conference was held on the 18th of October." (See 3 Washington's Writings (Spark's ed.), 123.) As to Harrison, see note under date of Nov. 29, 1775.

† MSS., Department of State. As to this committee, see Index, title Committee, Introduction, §§ 103, ff.

The members chosen, Mr. Harrison,* Dr. Franklin, Mr. Johnson,† Mr. Dickinson,§ and Mr. Jay.‡

* Benjamin Harrison was born in Berkeley, Charles City County, Virginia, in 1740. In 1764 he was a leading member of the house of burgesses, taking strong ground in opposition to the royal governor and to the stamp act. So great was his influence and high his character that the governor sought to propitiate him by an offer of a seat in the council, which he declined. Sent by Virginia as a delegate to the first Continental Congress, he signed the Declaration of Independence, and was, during his term of service, chairman of the board of war, and a member of the committee of foreign correspondence. Devotedly attached to Washington, with whom his relations were peculiarly intimate, his course, when in Congress, was to sustain Washington against that strong Congressional interest by which he was at the time opposed. This brought Harrison into collision with the "Lees and Adamses," to take the designation already noticed. (Introduction, § 11.) It may have been through the dominant influence of Richard H. Lee that Harrison was dropped from Congress at the close of 1777. He was then elected to the Virginia house of burgesses, of which he was speaker until 1782, when he was elected governor, which post he filled until 1785. In the Virginia legislature he gave effective support to the proposition to vest in Congress the power of levying imposts. He died in April, 1791. His son, William Henry, and the grandson of the latter, bearing the name of Benjamin Harrison, have been elected Presidents of the United States.

Both in John Adams' published journals and letters, and in the Lee papers, Harrison is singled out for particular censure and ridicule, indolence and luxury and undue conservatism being charged against him, coupled with censures on Washington for placing such confidence on him. Yet it must be remembered that Harrison placed, what some of his critics were unable to do, a large estate in the Revolutionary cause; that he was a determined advocate as well as signer of the Declaration of Independence; that he served gallantly in the field; and that the fact that Washington, who knew him well, trusted him so implicitly, and employed him in such confidential service, is the strongest proof of the error of those by whom he was assailed. The real ground of hostility was Harrison's consistent maintenance of the position that the war could not be successfully waged by Congressional committees, and that the commander-in-chief should be invested with co-ordinate executive functions.

† Thomas Johnson was born in Calvert County, Maryland, in November, 1732. He was an active patriot in the Maryland house of delegates from 1762 to 1773; and in 1775 was a deputy from Maryland in the Continental Congress. He took a particularly active position in Maryland affairs, being for some time the leader in that State's Revolutionary politics, though his election to Congress was from time to time renewed. On February 14, 1777, he was elected governor of Maryland. He was a strong supporter of the Federal Constitution, and after serving on the Maryland supreme court, was, in November, 1791, appointed by Washington a judge of the Supreme Court of the United States. Resigning in 1793, and declining the post of Secretary of State, tendered him by Washington, the only office he afterwards held was that of commissioner, with Stuart and Carroll, for the laying out of the city of Washington. He died at Rose Hill, Maryland, in October, 1819.

‡ See Introduction, § 155.

§ John Dickinson was born in Maryland in 1732, and, after studying law in Philadelphia, and afterwards in London, settled in Philadelphia, where, in his own right and that of his wife, he possessed a considerable estate. In 1764, as a member of the provincial assembly, and in 1765, as a delegate to the first Colonial Congress, he took decided patriot ground; and he pursued the same course as a member of the first Continental Congress of 1774. From him came a series of state papers of eminent ability, and which, vindicating the positions then assumed by Chatham, drew strong

DECEMBER 2, 1775.

Resolved, That the committee of correspondence be directed to use their endeavors to find out and engage in the service of the United Colonies skilful engineers, not exceeding four, on the best terms they can; and that the said committee be authorized to assure such able and skilful engineers as will engage in the service that they shall receive such pay and appointments as shall be equal to what they have received in any former service.

Franklin et al., committee of secret correspondence, to Arthur Lee.*

PHILADELPHIA, December 12, 1775.

SIR: By this conveyance we have the pleasure of transmitting to you sundry printed papers, that such of them as you think proper may be immediately published in England.

We have written on the subject of American affairs to Monsieur C. G. F. Dumas,† who resides at The Hague. We recommend to you to correspond with him, and to send through his hands any letters to us which you can not send more directly. He will transmit them via St. Eustatia. [When you write to him direct your letter thus: "A. Mons. C. G. F. Dumas, chez Mad^{le}. V. Loder, a la Hague, and put it under cover directed to Mr. A. Stuchy, merchant, at Rotterdam.]"‡

Mr. Story may be trusted with any dispatches you think proper to send us. You will be so kind as to aid and advise him.§

It would be agreeable to Congress *to know the disposition of foreign powers towards us*, and we hope this object will engage your attention. We need not hint that *great circumspection and impenetrable secrecy* are necessary. The Congress rely on your zeal and abilities to serve them, and will readily compensate you for whatever trouble and expense a

encomiums from that great statesman. At the date of the proceedings in the text he was among the foremost in the maintenance of American rights as against British oppression. But he could not make up his mind to vote for the Declaration of Independence, which he thought premature. This, however, did not indicate any failure of interest in independence, as he enlisted as a private in the army, serving as such with much devotion, until in October, 1777, he was commissioned as brigadier-general. In 1780 he was president of Delaware; in 1782-'84 president of Pennsylvania; and he was afterwards a member of the convention which reported the Federal Constitution, which he warmly espoused. From him came, in 1767, the "Farmer's letters," which were edited by Franklin, and which had an immense circulation, and exercised a great influence on behalf of the American cause. In 1797 he published a series of papers for the purpose of again arousing a friendly feeling toward France. He died in Wilmington, Delaware, in February, 1808.

* MSS., Department of State; 1 Arthur Lee's Life, 53; 1 Sparks' Dip. Rev. Corr. 379, with omissions.

† C. W. F. Dumas; see Introduction, § 185; Index, title Dumas.

‡ Passage in brackets omitted in Sparks' ed.

§ See Index, title Story.

compliance with their desire may occasion. We remit you for the present £200.

Whenever you think the importance of your dispatches may require it, we desire you to send an express boat with them from England, for which service your agreement with the owner there shall be fulfilled by us here.

We can now only add that we continue firm in our resolutions to defend ourselves, notwithstanding the *big threats* of the ministry. We have just taken one of their ordnance storeships, in which an abundance of carcasses and bombs, intended for burning our towns, were found.

With great esteem, we are, sir, your most obedient, humble servants,

B. FRANKLIN.

JOHN DICKINSON.

JOHN JAY.

Franklin to Dumas.*

PHILADELPHIA, December 19, 1775.

DEAR SIR: I received your several favors of May 18, June 30, and July 8, by Messrs. Vaillant & Poichard, whom, if I could serve upon your recommendation, it would give me great pleasure. Their total want of English is at present an obstruction to their getting any employment among us; but I hope they will soon obtain some knowledge of it. This is a good country for artificers or farmers, but gentlemen of mere science in *les belles-lettres* can not so easily subsist here, there being little demand for their assistance among an industrious people, who, as yet, have not much leisure for studies of that kind.

I am much obliged by the kind present you have made us of your edition of Vattel. It came to us in good season, when the circumstances of a rising State make it necessary frequently to consult the law of nations. Accordingly, that copy which I kept (after depositing one in our own public library here, and sending the other to the College of Massachusetts Bay, as you directed) has been continually in the hands of the members of our Congress now sitting, who are much pleased with your notes and preface, and have entertained a high and just esteem for their author. Your manuscript "*Idée sur le Gouvernement et la Royauté*," is also well relished, and may, in time, have its effect. I thank you, likewise, for the other smaller pieces which accompanied Vatiel. "*Le court Exposé de ce qui est passé entre la Cour Britanique et les Colonies*," etc., being a very concise and clear statement of facts, will be reprinted here for the use of our new friends in Canada. The trans-

* 5 Sparks' Dip. Rev. Corr., 185; given in 8 Sparks' Franklin, 162, and 5 Bigelow's Franklin, 541, as of Dec. 9, 1775; as to Dumas, see Introduction, § 185; Index, title Dumas.

lations of the proceedings of our Congress are very acceptable. I send you herewith what of them has been further published here, together with a few newspapers, containing accounts of some of the successes Providence has favored us with.

We are threatened from England with a very powerful force to come next year against us. We are making all the provision in our power here to prevent that force, and we hope we shall be able to defend ourselves. But as the events of war are always uncertain, possibly, after another campaign we may find it necessary to ask aid of some foreign power. It gives us great pleasure to learn from you that "all Europe wishes us the best success in the maintenance of our liberty." But we wish to know whether any one of them, from principles of humanity, is disposed magnanimously to step in for the relief of an oppressed people, or whether if, as it seems likely to happen, we should be obliged to break off all connection with Britain, and declare ourselves an independent people, there is any state or power in Europe who would be willing to enter into an alliance with us for the benefit of our commerce, which amounted, before the war, to near seven millions sterling per annum, and must continually increase, as our people increase most rapidly. Confiding, my dear friend, in your good will to us and our cause, and in your sagacity and abilities for business, the committee of Congress, appointed for the purpose of establishing and conducting a correspondence with our friends in Europe, of which committee I have the honor to be a member, have directed me to request of you that, as you are situated at The Hague, where ambassadors from all the courts reside, you would make use of the opportunity which that situation affords you of discovering, if possible, the disposition of the several courts with respect to such assistance or alliance, if we should apply for the one or propose for the other. As it may possibly be necessary, in particular instances, that you should, for this purpose, confer directly with some great ministers, and show them this letter as your credential, we only recommend it to your discretion that you proceed therein with such caution as to keep the same from the knowledge of the English ambassador, and prevent any public appearance, at present, of your being employed in any such business, as thereby, we imagine, many inconveniences may be avoided, and your means of rendering us service increased.

That you may be better able to answer some questions which will probably be put to you concerning our present situation, we inform you that the whole continent is very firmly united, the party for the measures of the British ministry being very small and much dispersed; that we have had on foot the last campaign an army of near twenty-five thousand men, wherewith we have been able, not only to block up the king's army in Boston, but to spare considerable detachments for the invasion of Canada, where we have met with great success, as the

printed papers sent herewith will inform you, and have now reason to expect that whole province may be soon in our possession; that we purpose greatly to increase our force for the ensuing year, and thereby we hope, with the assistance of well-disciplined militia, to be able to defend our coast, notwithstanding its great extent; that we have already a small squadron of armed vessels to protect our coasting trade, which have had some success in taking several of the enemy's cruisers and some of their transport vessels and store-ships. This little naval force we are about to augment, and expect it may be more considerable in the next summer.

We have hitherto applied to no foreign power. We are using the utmost industry in endeavoring to make saltpeter, and with daily increasing success. Our artificers are also everywhere busy in fabricating small arms, casting cannon, etc. Yet both arms and ammunition are much wanted. Any merchants who would venture to send ships laden with those articles might make great profit; such is the demand in every colony, and such generous prices are, and will be, given, of which, and of the manner of conducting such a voyage, the bearer, Mr. Story,* can more fully inform you. And whoever brings in those articles is allowed to carry off the value in provisions to our West Indies, where they will fetch a very high price, the general exportation from North America being stopped. This you will see more particularly in a printed resolution of the Congress.

We are in great want of good engineers, and wish you could engage and send us two able ones in time for the next campaign, one acquainted with field service, sieges, etc., and the other with fortifying sea-ports.† They will, if well recommended, be made very welcome, and have honorable appointments, besides the expenses of their voyage hither, in which Mr. Story can also advise them. As what we now request of you, besides taking up your time, may put you to some expense, we send you, for the present, inclosed a bill for one hundred pounds sterling to defray such expenses, and desire you to be assured that your services will be considered and honorably rewarded by the Congress.

We desire also that you would take the trouble of receiving from Arthur Lee, agent for the Congress in England, such letters as may be sent by him to your care, and of forwarding them to us with your dispatches. When you have occasion to write to him to inform him of anything which it may be of importance that our friends there should be acquainted with, please to send your letters to him under cover, directed to Mr. Alderman Lee,‡ merchant, on Tower Hill, London, and do not send it by post, but by some trusty shipper, or other prudent person, who will deliver it with his own hand. And when you send to us, if you have not a direct safe opportunity, we recommend sending

* See index, title Story.

† See introduction, § 78.

‡ William Lee; see introduction, §§ 19, 78.

by way of St. Eustatia, to the care of Messrs. Robert and Cornelius Stevens, merchants there, who will forward your dispatches to me.

With sincere and great esteem and respect, I am, etc.,

B. FRANKLIN.

Franklin to Charles Lee.*

PHILADELPHIA, February 11, 1776.

DEAR SIR: The bearer, M. Arundel, is directed by the Congress to repair to General Schuyler, in order to be employed by him in the artillery service. He proposes to wait on you in his way, and has re-

* 8 Sparks' Franklin, 169; 6 Bigelow's Franklin, 1.

Charles Lee was born in Cheshire, England, in 1731, and was the youngest son of General John Lee, and of Isabelle, daughter of Sir Henry Bunbury. In his early life he was left to pick up such desultory education as he could during the absence of his parents from England; but in this way, when in Switzerland, he became familiar with the French, German, and Spanish languages, devoting himself particularly to the study of military affairs. He was commissioned as lieutenant in 1751, and served under Braddock in 1755, being with him at the Pittsburgh defeat. Afterwards, when attached to Sir William Johnson, at Albany, he became so much charmed, as he declared, with Indian life, as to accept an adoption into the Mohawk tribe. This, however, did not prevent his purchase of a captain's commission in the British service. He remained in full and lively action in this service until 1763, when, on the disbanding of his regiment, he was reduced to half pay. As an officer of a British contingent sent to Portugal in 1762, he achieved some distinction. In 1762-'63 he published in England a series of papers on colonial policy, which incensed the ministry by their violence, and annoyed the opposition by their extravagance; and, finding himself in this way out of the line of English promotion, he visited Poland, and there obtained titular rank from King Stanislas Augustus. This appointment was followed in 1769, after an intermediate visit by him to England, by a commission as major-general, to serve in a campaign then organized against the Turks. In this campaign, which was but brief, he was in constant turmoil with his superiors, and he consequently deserted Poland, and spent some time in the south of Europe, where he fought a duel in which he lost a finger. In May, 1772, he succeeded in having his half-pay grade raised to that of lieutenant-colonel; but this imperfect promotion only irritated him, and in the autumn of 1773 he sailed to New York, looking forward to the new world, then seething in trouble, to give him that active and congenial service which he was denied in the old. He had barely reached New York before he began to publish revolutionary tracts; and, in the capacity of a distinguished military expert, he attended the first Continental Congress. Impressed with the idea that landed property in America would add to his distinction, he purchased an estate in Berkeley County, Va., near to that of General Gates, with whom he was on intimate terms. In June, 1775, he was made second major-general in the Continental army, Ward, then in command of Cambridge, ranking him. Charles Lee was incensed at this "degradation," and circulated a series of contemptuous papers on both Washington and Ward. He obtained from Congress an agreement to indemnify him for any losses he may have or might sustain from his serving America, and shortly afterwards resigned his commission in the British army, the emoluments of which he had previously continued to receive. When at Cambridge he entered into a chimerical correspondence with Burgoyne, his old commander, as to terms of reconciliation. After various adventures in the service, in

quested me to introduce him by a line to you. He has been an officer in the French service, as you will see by his commissions; and, professing a good will to our cause, I hope he may be useful in instructing our gunners and matrosses. Perhaps he may advise in opening the nailed cannon. I received the inclosed the other day from an officer, Mr. Newland, who served in the two last wars, and was known by General Gates, who spoke well of him to me when I was at Cambridge. He is desirous now of entering into your service. I have advised him to wait upon you at New York.

They still talk big in England and threaten hard; but their language is somewhat civiler, at least not quite so disrespectful to us. By degrees they come to their senses, but too late, I fancy, for their interest.

which his efficiency became a matter of doubt, he obtained from Congress, in pursuance of the prior arrangement, \$30,000, to indemnify him for his pecuniary losses in their service. In October, 1776, he became first major-general (through Ward's resignation), and there is no doubt that in his capacity of commander of the left wing on Harlem Heights, his disobedience of Washington's orders, in November of that year, forced Washington's retreat. At this time began his intrigues against Washington. On December 13, having selected as his headquarters Baskenridge, four miles from his army, he was there captured by a party of British dragoons and carried to New York.

In Jones' History New York, I, 173, that learned tory historian, who was resident in the British lines at the time, says, in reference to Lee's treatment when an alleged prisoner, that he "was confined in the council chamber in the City Hall, one of the gentlest public rooms in the city, square, compact, tight, and warm. A sentry, it is true, stood at his door. His fire wood and candles were provided for him. He had directions to order a dinner every day from a public house sufficient for six people, with what liquor he wanted, and of what kind he pleased. He had the privilege of asking any five friends he thought proper to dine with him each day. This was all furnished at the expense of the nation. Hull, who kept the City Arms in New York, waited on him by General Howe's orders, with a bill of fare every morning, and Lee ordered his own dinner and his own liquors. It was cooked at Hull's, and always on the table at the time appointed. His servant had free access to him at all times."

The probability is, that with characteristic versatility, he put himself in the way of being captured, and having deserted the British cause for the American, he concluded, by way of set-off, to desert the American cause for the British. The treatment he received, which was very different from what he reported to his American friends, shows that he was soon on good terms with the Howes; and we know that he went so far as to disclose to them all he knew of American operations, and that he prepared for them a plan of operations for their next campaign. This plan remained among the Howe papers, undisclosed, until 1857, when a *fac simile* of it was published in George H. Moore's tract on the "Treason of Charles Lee," New York, 1858. The writing is that of Charles Lee, and the indorsement, "Mr. Lee's plan, 29 March, 1777," is in the hand of the secretary of Lord Howe. The plan was subsequently adopted by the Howes. Notwithstanding this perfidy, Charles Lee, his exchange having been effected through Washington's earnest exertions, resumed his command. To his disgraceful conduct at the battle of Monmouth the first repulse at that battle is chargeable; and he was sent to the rear by Washington, and after an angry letter by him, was placed under arrest. He was tried, and found guilty of making a shameful retreat, and of disrespect to his commander. He was sentenced to suspension for a year; but his abuse of Washington was so intemperate that he was challenged by Colonel John

We have got a large quantity of saltpeter (one hundred and twenty tons and thirty more expected). Powder-mills are now wanting. I believe we must set to work and make it by hand. But I still wish, with you, that pikes could be introduced, and I would add bows and arrows. These were good weapons not wisely laid aside:

(1) Because a man may shoot as truly with a bow as with a common musket.

(2) He can discharge four arrows in the time of charging and discharging one bullet.

(3) His object is not taken from his view by the smoke of his own side.

(4) A flight of arrows, seen coming upon them, terrifies and disturbs the enemy's attention to their business.

Laurens and wounded in the arm. Yet, even after the court-martial, there was, as we have seen (Introduction, § 11), a strong feeling for Lee among his Virginia namesakes; the proceedings against him were declared unjust; and his promotion to the head of the army at least covertly urged, Gates' pretension being advanced as a cover. But a few months after his suspension, when his conduct was regarded as at least irreconcilable with common sense (his treason not being then known), he wrote to Congress letters so insolent that he was dismissed from the service. He died in Philadelphia in October, 1782; and his will contained the provision that he should not be buried within three miles of a "Presbyterian meeting-house, conventicle, or schism shop," he identifying Presbyterians and Republicans. Yet he was buried in Christ church grounds, almost in the same block with a Presbyterian church.

It is not necessary, in order to explain Charles Lee's misconduct prior to his capture, to suppose that he originally entered into the American service with the design of betraying it to Britain. We may find an explanation of that conduct without resorting to this extreme hypothesis. In the first place the high rank assigned to him at the outset in the American army was obtained by him by deception, which shows his character to have been essentially false. Specious he undoubtedly was, or he could not have produced so general impressions of his great military exploits; but most of these exploits, like his authorship of the Junius papers, were fabrications. He did not achieve the distinction in Europe he claimed to have achieved; he did not possess the military accomplishments of which he boasted; a part of his misconduct, therefore, may be imputed to his incompetency. Of his conduct in the French-English Seven-years' war, Jones, a reliable authority (2 History of New York, 350), says: "He was under more arrests, had more court-martials held upon him and more courts of inquiry into his conduct than all the officers of the army put together. He was thought by many to be insane, and was known by the name of 'Mad Lee.'" But whatever may have been the extent of his "madness," he was destitute not merely of adequate professional capacity, but of patriotism, and of professional loyalty; and to these defects was added a perversity of character which exhibited itself in an uncontrollable jealousy of any authority under which he was at the time placed. He showed these qualities under whatever allegiance he accepted. When his achievements under foreign governments were examined closely, it was found that in no case did it appear that he was true to any one of these governments. It was, for instance, as disloyal as well as dishonorable in him to have continued to draw his salary as a British officer during the period when he was concerting, with the American authorities, plans for the overthrow of the British army, as it was for him afterwards, when holding an American commission, to concert plans with the British authorities for the destruction of the American army. In a turbulent perversity of temper, however, which made him untrue to his superiors, whoever they might be, and in an utter want of loyalty to any country or any cause, he was always

(5) An arrow striking in any part of a man puts him *hors du combat* till it is extracted.

(6) Bows and arrows are more easily provided everywhere than muskets and ammunition. Polydore Virgil, speaking of one of our battles against the French in Edward the Third's reign, mentions the great confusion the enemy was thrown into *sagittarum nube*, from the English, and concludes: *Ea res profecto dictu mirabilis, ut tantus ac potens exercitus a solis fere Anglicis sagittariis victus fuerit; adeo Anglus est sagittipotens, et id genus armorum valet.*

If so much execution was done by arrows when men wore some defensive armor, how much more might be done now that it is out of use.

I am glad you are come to New York, but I also wish you could be in Canada. There is a kind of suspense in men's minds here at pres-

consistent; and no doubt it was with a knowledge of these characteristics that Yorke, British envoy at The Hague, said of him that Lee was the worst present that America could receive. But there was an extreme of disloyalty in his resumption of American command, and in his treachery at Monmouth, which buries his character under a load of unparalleled infamy, and which reflects no little discredit on the British authorities in New York in making him the subject of exchange. It is said that Clinton, who consummated this exchange, may not have known, as did the Howes, of Lee's treachery. But the Howes knew it, and preserved the evidence of it, at the very time they were negotiating the exchange; and for them to palm Lee off as a loyal American officer was as great a fraud as was the passing, which was charged on their subalterns, of forged American money in exchange for produce. For Lee's own course after his exchange no terms of execration are too strong. His conduct at Monmouth was marked by a treason of which for depth of perfidy history affords no other example. Yet, such was his plausibility, and so great was the ignorance of his true character, that, even after he was convicted by court-martial, men of high personal honor, such as his Virginia namesakes, espoused, either tacitly or expressly, his cause, and his funeral at Philadelphia was attended, not merely by these friends, but by most of the leading government officials in the city. By Hamilton, however, if not by Washington, his conduct at Monmouth was regarded as explicable only on the ground of disloyalty, though of his actual treason at the time they had no information. (See 3 Mag. of Amer. Hist., 265.)

In the Reminiscences of Dr. William Read, 2 Gibbes' Doc. Hist. Rev., 255, it is said that on his reaching Monmouth "the battle was raging, General Washington having rallied General Lee's retreating columns, and ordered Lee in to the rear. Dr. Read saw General Lee standing at a tavern window with the landlady, and heard him call aloud to an officer riding by, and was told that the general asked, 'what news?' The officer replied: 'They are fighting on the plains of Monmouth, and the British grenadiers have given way;' when General Lee replied, 'that is a d——d lie, the British grenadiers never give way. Were an angel to come from heaven and tell him so, he would say he was a liar!'"

According to the London Chronicle for August 29-31, 1775, Lee's "title of general he owes to the rank he bore in Poland, as he was only lieutenant-colonel in our service. * * * He is an excellent scholar, and lived in great intimacy with several men of genius, particularly Mr. Colman, who, it is said, he assisted with money to enable him to purchase a share in Covent Garden patent; he has a great volubility, and a warmth of temper that rendered him impatient of restraint, and frequently involved him in trouble." As to Lee's eccentric conduct in South Carolina in July, 1776, see Drayton to Salvador, 2 Gibbes' Doc. Hist., 28.

ent, waiting to see what terms will be offered from England. I expect none that we can accept; and when that is generally seen, we shall be more unanimous and more decisive. Then your proposed solemn league and covenant will go better down, and perhaps most of your other strong measures will be adopted. I am always glad to hear from you, but I do not deserve your favors, being so bad a correspondent. My eyes will now hardly serve me to write by night, and these short days have been all taken up by such a variety of business that I seldom can sit down ten minutes without interruption. God give you success.

I am, with the greatest esteem, etc.,*

B. FRANKLIN.

Arthur Lee to [party undetermined].†

LONDON, February 13, 1776.

The inclosed will easily explain itself. The intelligence you should observe, and take measures accordingly. A fund for necessary expenses should be fixed here, in such hands as can be confided in. You know who is to be trusted. From experience I can say (though with-

* "General Lee now had command in New York, and was engaged in constructing works of defense. (See 1 Sparks' Life of Gouverneur Morris, 75-88; and 3 Washington's Writings, 230, 273, 292.)"—SPARKS.

† MSS. Department of State; 1 Sparks' Dip. Rev. Corr., 380.

As to this very important letter (taking it by itself and in connection with the inclosed which follow) two important points are to be considered:

(1) Is it by Arthur Lee? The handwriting is evidently feigned, and there is no signature; and yet for one who flourished in the Junius controversy as one of the admirers of Junius, sending an anonymous letter in a feigned hand would not be considered extraordinary. There is much similarity between the writing and that of the mass of Arthur Lee's letters that follow. The opinions and the reference to his brother, R. H. L., who was known to entertain the same views as to superseding Washington, are consistent with Arthur Lee's position; and to this is to be added the fact that the letter has been, as far back as the records show, filed and bound with Arthur Lee's other letters; was published as his in 1818 by Sparks, without, at that time or subsequently, any doubt as to its authenticity being expressed.

(2) Was it addressed to Franklin for the purpose of being received by him? This seems improbable, because Franklin, even if he had not been in Canada at the time, was as Arthur Lee well knew, closely attached to Washington, and would, therefore, for this and other reasons, be about the last person to be invited into the combination which Richard H. Lee and Samuel Adams were then forming to get rid of Washington. The package, it was remembered, was given to a private messenger to deliver. It is not improbable that the name of Franklin on the outside was as much a decoy as that of Colden on the inside. The messenger was bound for Boston, and his instructions may have been to deliver the papers to Samuel Adams or Lovell. How they fell into Washington's hands will be hereafter noticed. Nor is it probable that Lee would have addressed to Franklin letters, as do those inclosed in the same cover as the above, complaining, as to a third party, of Franklin's appointment on the congressional committee, to whom the supervision of foreign affairs was intrusted.

As to these letters, and the attitude of the Lees to Washington, see introduction, §§ 11, 153, 209.

out any connection or commerce with them) the New England men are fittest to be trusted in any dangerous or important enterprise. Show this only to R. H. L., of Virginia, and he will *guess* from whence it comes.

The intelligence, if it gets to hand in time, should be communicated as soon as possible to every part of America, that she may be prepared.

A. Lee to Lieutenant-Governor Colden.*

[Inclosed in the foregoing.]

LONDON, February 13, 1776.

DEAR SIR: Your letter of the 30th of November, 1775, announcing the appointment of a secret committee, reached me a few days since. Miscarriages will be manifold indeed if you have not frequently heard from me. All my solicitude has been about my letters reaching you; every disguise was necessary to effect that. I am, however, much obliged to the general for the step taken to secure me. [Yet I can not tell to what fatality it is owing, that of the five, two men of whom I have more diffidence than of any others, I had almost said thro' the whole continent; that I may be explicit, the second and last,† are men whom I can not trust. If I am to commit myself into an unreserved correspondence, they must be left out, and the Ls. or the As. put into their places. This letter, therefore, is to you, sir, and not to the committee. I can not imagine that what I desire can be deemed impertinent, when it is considered that the very purpose of its appointment is, so far as it relates to me, disappointed by the members. The selection of them instead of inspiring confidence, gives me an apprehension which I did not feel while they were in the general mass.]‡

You will be curious to know what are the ministerial intentions, and their force for the next campaign. The following is their army upon paper: Hessians, 12,000; Brunswickers, Woolfenbutlers, and Waldecker, 5,000; six regiments under Lord Cornwallis, 3,000; eight more to sail in the spring, 4,000; Highlanders, 2,000; now in America, 8,000.§

The sailing and destination of this armament is thus: Those under General Lord Cornwallis are now embarked at Cork, and wait for sailing orders; their destination, Virginia. By the treaty just now signed,

* MSS., Department of State; 1 Sparks' Dip. Rev. Corr., 380, with omissions and verbal changes. "The name of Lieutenant-Governor Colden, of New York, to whom this and two other letters are directed, was doubtless assumed by Mr. Lee for the purpose of disguise, in case the letters should fall into the enemy's hands. Colden was a royalist."—SPARKS.

† Franklin and Jay.

‡ Passage in brackets omitted in Sparks' ed.

§ As to Arthur Lee's information as to British plans of campaign, see Introduction, § 151.

the Germans are to be ready on the 27th of this month to march to the sea coast, and embark, but for what part of America is not exactly known; the march by land is near six weeks, so that they can not sail before April. The second embarkation from Cork will be about the same time, and it seems probable that their destination will be against Canada, under General Burgoyne, who is soliciting that command. In the meantime, the Twenty-ninth Regiment, with General Carleton's brother, is to sail from hence immediately, to re-inforce Quebec, supposing that they can get high enough up the river, as far as the Isle Orleans, to make good their march by land. The regiments under Lord Cornwallis are the Thirty-seventh, Thirty third, Fifty-fourth, Fifteenth, Twenty-eighth, Forty-sixth; those for the spring are the Thirty-fourth, Fifty-third, Sixty-second, Third, Ninth, Eleventh, Twentieth, Twenty-fourth. Lord Howe is appointed to the command at sea, but the commander on land is not known; certain, however, it is, that there are two lieutenant-generals, and one of them old, that go with the Germans, so that it must be one of great reputation and old in the service to command over them. It is therefore conjectured Count de Lippe will be the man. He commanded the army in Portugal during the last war. They are taking up East Indiamen for the transport service, supposing they will be able to beat off the cruisers. A great number of artillery and wagon horses are to be sent, and a train of large battering cannon is preparing, which, it would seem, can only be intended against Quebec, should it be taken by General Montgomery.

The English and Irish troops go with infinite reluctance, and strong guards are obliged to be kept upon the transports to keep them from deserting by wholesale. The Germans, too, I am well informed, are almost mutinous; but the Landgrave of Hesse is an absolute tyrant, and must be obeyed. It is therefore conceived that, if the Congress have proposals prepared in English and German, to distribute among them when they land, which no precautions can prevent, multitudes will desert.

Upon the whole, the ministry, if everything favors them, may have about thirty thousand men in America by the latter end of June. They will have no horse but two regiments of light dragoons that are now there, and Burgoyne's, which is to go. If the Americans have horse well trained to the woods, it will harass such an army infinitely; and, if they act upon the defensive, entrench well, harass them continually, cut off their convoys—and, if ever they hazard an engagement, make their push upon one wing—it is imagined here that no general on earth can make the campaign decisive, and it is hardly possible this country can stand another. They have found it impossible to recruit in England, Ireland, or Scotland, though the leading people of the last are to a man violently against America. They have therefore been obliged to draft from the other regiments to complete those which are going, so that, when the whole are embarked, there will be scarce two thousand

men remaining in Ireland, and as many in England, besides the foot guards and cavalry. I am well assured that the French Government will wink at the exportation of arms and ammunition. A general of the first abilities and experience would go over if he could have any assurance from the Congress of keeping his rank; but that being very high, he would not submit to have any one but an American his superior, and that only in consideration of the confidence due to an American in a question so peculiarly American.*

Let me have your opinion of all these things. The opposition gains ground, and the nation begins to feel; but America must trust to her own arm and Heaven for protection. The resolutions of January the 2d do you infinite honor, and will undoubtedly serve the cause. Your conduct, I trust, will be noble as that is great and good. I know your attachment to the country you have adopted. *Prince Ferdinand's recommendation of the general mentioned above is in these words: "As to experience, intelligence, and valor, I do not know whether another can be found to equal him."* Your letter of the 30th of November, 1775, cost 19s. 6d. postage, there was so much superfluous paper. Would not a packet sent to some of the Canary Islands, and committed to proper care, reach us safest and soonest? If there is any friend there to be trusted, the opportunities from thence hither are frequent. Cover mine, and address it to "John Horsfall, Treasurer, Middle Temple."

The following correspondence, taken from 6 Force's Archives, 4th series, 500, probably relates to the above letters. If so, it shows that if Washington received them in full, he declined, with characteristic delicacy, to notice the paragraph leveled at himself, and his sending the papers to Richard H. Lee instead of to Franklin, may also be explained on the ground that seeing that they were not really meant for Franklin, but contained exceptions to him, it was better that, instead of being forwarded to him, they should be sent to the writer's brother, Richard H. Lee.

General Washington to Richard Henry Lee.

NEW YORK, May 18, 1776.

MY DEAR SIR: In great haste I write you a few lines to cover the inclosed. They came in the manner you see them, and as explained in Captain Langdon's letter to me of May 10. I hesitated some time in determining whether I could, with propriety, select them from the rest, considering in what manner they came to my hands; but as there are some things in each which may serve to irritate, I concluded

* This may have been Count Broglie, and referred to in Deane's letter to the committee of secret correspondence, of Dec. 6, 1776, concerning which see note to that letter. Lee could not by this description have had in mind any of the European officers who applied to Congress for commissions, since no one of them had the rank of general. As to Broglie, see Introduction, §§ 76, 77. And that Prince Ferdinand was not himself the proposed "generalissimo," appears from the subsequent recommendation of the "generalissimo" by Ferdinand.

it best to send not only the one directed to you, but the other also (to Dr. Franklin) under cover to you, as you may communicate and secrete such parts as you like. I have no time to add the necessity of vigorous exertions; they are too obvious to need any stimulus from me. Adieu, my dear sir.

I am most affectionately, your obedient

GEORGE WASHINGTON.

P. S.—Upon second thoughts, knowing that Dr. Franklin is in Canada, I send you a copy only of the letter to him (which I take to be from Dr. Lee) and the original to the doctor.

(This letter is also given in 2 R. H. Lee's Life, 11.)

John Langdon to General Washington.

PORTSMOUTH, N. H., May 10, 1776. (Received May 21, 1776.)

SIR: This will be handed you by George Merchant, who says he is one of the riflemen that went from Cambridge under General Arnold to attack Quebec; was taken prisoner crossing the river at that place, sent to England in irons; has just returned by way of Halifax, from whence he made his escape, with some others, in a small boat. He arrived at Old York yesterday, when he informed the committee of that place of his having letters from England, which he had concealed in the waistband of his breeches. They thought fit to open the letters, and sent them on to the committee of this place, who have directed me to despatch the man with the letters to Congress, after having called on you in the way there. I have, therefore, furnished him with necessities, and given strict directions to proceed with all possible despatch to headquarters at New York, as express to your excellency, with the enclosed letters, and as they contain matters of importance, no doubt you will think proper to forward them to Congress. This man informs us that the troops at Halifax are in a most deplorable condition for want of provision; this is confirmed by several others who have escaped from thence and arrived at this place within these few days.

I am, with the greatest respect, your most obedient servant.

JOHN LANGDON.

It is also to be observed that it is possible that "Lieutenant-Governor Colden" may, from his relations to the parties, have been willing to permit letters meant for "insurgents" to pass through his hands. This may be argued from the following letter purporting to have been addressed to him by Ralph Izard, whose wife was one of the DeLancey family, who ultimately took strong loyalist ground:

"WEYMOUTH (ENGLAND), September 10, 1775.

"Lieutenant-Governor COLDEN:

"DEAR SIR: It is long since I troubled you with a letter. I can never avoid politics, and while you were in the administration it might have been inconvenient to have had my letters to you scrutinized at the post-office. The gentlemen there have an insatiable curiosity."

"You have had a great deal of trouble, and have conducted yourself to the satisfaction of all parties. This is a very difficult matter, and requires more than ordinary abilities to accomplish."

After some passages in support of the revolutionary cause comes the following:

"There has been some very unfair management at New York; and if the scheme of disuniting that province from the rest of America had been accomplished, I can assure you that your office of lieutenant-governor would have been transferred to a certain gentleman, and you would have been left, after your long, troublesome, and faithful services, with another proof of the wickedness and ingratitude of the ministry of this country.

"The troubles of America will, I am convinced, end greatly to her honor and

advantage; and I look forward with pleasure to the time when I shall be settled in New York. If the people there had agreed in opinion with the assembly that event could never have taken place with any satisfaction or happiness to myself.

"My brother Oliver is the bearer of this. He is a very worthy young man, and is firmly attached to the cause of his country. * * * (*Sic in reprint.*) I beg you will not take the trouble of writing to me. *Mrs. DeLancey* (his daughter) is so good as to mention you frequently in her letters, and her accounts of your health make us very happy.

"Mrs Izard joins me in offering most affectionate regards to you and all your family." (1 R. Izard's Correspondence, 125.)

This letter has many marks of genuineness; and in view of the fact that many eminent men, such as Galloway, Duché, William Smith, and the DeLaneey family, who ultimately took decided loyalist ground, kept, in 1775 and 1776, on good terms with the revolutionary leaders, it would not be strange if Colden, like Galloway, permitted himself to become the medium through which letters might reach them. Arthur Lee and Izard were very intimate, and if Izard took this course it might naturally be followed by Arthur Lee.

Colden's relations to Jay, Philip Livingston, and Alsop, and other leading patriots who were on the delegation to Congress and on the New York committee of inspection of November, 1774, is thus stated in a letter to Lord Dartmouth of December 7, 1774:

"I was surprised to find such men joining with this committee, whose design is to execute the plan of the Congress. I have at length discovered that they act with a view to protect the city from the ravages of the mob." It was on this hypothesis that Colden kept up his correspondence with the leading patriots. (Colden Papers, Collections of New York Historical Society, 1877, 373.)

But whatever might have been the willingness of Colden to oblige his friends among the patriots, his power to do so ceased early in 1775. Thus on May 31, 1775, he wrote from Spring Hill, Long Island, to which place he had retired, to General Gage, as follows:

"All intelligence to government is intercepted, so that I can know nothing but the common reports and what is published in the newspapers." (Collections of New York Historical Society, 1877, 415.)

From this time he had no control over the post-office, and hence letters coming to him by mail, which had escaped English loyalist supervision on account of their address, would have been intercepted in New York and distributed by the revolutionary committee.

On June 7, 1775, he wrote to Lord Dartmouth (*id. 423*):

"The friends of Government saw no security for their persons or property but by joining the multitude."

A. Lee to Lieutenant-Governor Colden.*

LONDON, February 14th, 1776.

DEAR SIR: [I received a few days since yours of the 30th of November, 1775, informing me of the appointment of a secret committee. I am sorry, however, to say that the second and last upon the list are men in whom I can not confide, and I am not a little surprised that it should so happen that these two men are upon such a committee, while others

* MSS. Dept. of State. In 4 Force's Am. Archives, 4th series, 1125, the letter is given as in the text, but is addressed to Dr. Franklin, which is manifestly an error. 1 Sparks' Dip. Rev. Corr., 383, with omissions and verbal changes.

are omitted with whom I am known to be in habits of communication and confidence. I therefore trust this with you and not with the committee, in whom I can not repose any confidence until those two men are removed. I have written to you repeatedly and by some conveyances which I think can not possibly miscarry.]*

The inclosed list is the ministerial army upon paper. In effect, it will amount to about 15,000 Germans and 18,000 British. Their destination I can now give you with some certainty: 4,000 Brunswickers and Waldeckers, with 500 Hessians from Hanau, are now at Stade, a port in Hanover, ready for immediate embarkation, and destined for Canada, to be joined by the Twenty-ninth regiment, and 1,000 drafted from the foot guards, under Colonel Matthews. There is to be another embarkation in the spring from Ireland for Canada, and the whole is to be commanded by General Burgoyne, and Carleton, I believe, recalled.

The second body, being Hessians, are to march this day for Stade, and the third on the 14th of next month; these are for Boston. Lord Cornwallis, with six regiments, to sail immediately from Cork for Virginia where General Clinton is to take the command. They have certain assurances of being joined by the Scotch in Virginia, and those on the borders of North Carolina, under the command of one McDonald. In the meantime, they have been directed to protect themselves under a treaty of neutrality. Besides this land force, Lord Howe is to have a fleet of seventy-two sail to block up the coast. For this purpose, large ships are to be stationed at the mouths of the great rivers, and the rest are to cruise at some distance for the coast, three deep, but not in file, so as to render it more difficult to cross them, as thus: —. They are to get possession of New York and Hudson River, so as to cut off all south and north communications; and they have some idea of attacking Canada, too, by Montreal. Halifax is to be their naval magazine.

The Germans are commanded by two lieutenant-generals, of whom the eldest is named P. Heister, who has some military character. This is the favorable review of their plan. On the contrary, the whole army, native and foreign, is averse to the service, so that it is much apprehended that if the provincials are dexterous in throwing among them advantageous propositions, and faithful in performing them, the desertion will be immense. The British troops have not one in five that is a soldier; the rest are boys and debilitated manufacturers, just recruited, at the reduced standard of 5 feet 4 inches. A vast number of the best subaltern officers have quitted the service. It is thought they will make Howe commander-in-chief, which must disgust the German generals, who are much older. The expense will be immense, the difficulty of providing magazines immense, and another campaign hardly possible. Lord George Sackville is the minister, with absolute and hated authority even in the cabinet. [He is an imperious, rash, and unprincipled man, with moderate abilities and much plausibility, but totally

* Passage in brackets omitted in Sparks' edition.

under the counsels of *your* countrymen, who push this business with blind violence.]*

Great expectations, too, are entertained from treachery in the provincials. Dr. Church † was in league with others, particularly Fleming the printer. This I have from ministerial authority, which may be depended on. They will also endeavor to depreciate the Congress paper by throwing in forged notes. A general of the first rank and abilities would go over, if the Congress would authorize any one to promise him a proper reception. This I had from Mr. Lee, agent for Massachusetts; but it must be secret with you, as I was not to mention it.

Franklin et al., committee of secret correspondence, to Silas Deane.:

PHILADELPHIA, March 3, 1776.

On your arrival in France you will, for some time, be engaged in the business of providing goods for the Indian trade. This will give good countenance to your appearing in the character of a merchant, which we wish you continually to retain among the French in general, it being probable that the court of France may not like it should be known publicly that any agent from the Colonies is in that country. When you come to Paris, by delivering Dr. Franklin's letter to Monsieur Le Roy, at the Louvre, and M. Dubourg,§ you will be introduced to a set of acquaintance, all friends to the Americans. By conversing with them you will have a good opportunity of acquiring Parisian French, and you will find in M. Dubourg a man prudent, faithful, secret, intelligent in affairs, and capable of giving you very sage advice.

It is scarce necessary to pretend any other business at Paris than the gratifying of that curiosity, which draws numbers thither yearly, merely to see so famous a city. With the assistance of Monsieur Dubourg, who understands English, you will be able to make immediate application to Monsieur de Vergennes, *ministre des affaires étrangères*, either personally or by letter, if M. Dubourg adopts that method, acquainting him that you are in France upon business of the American Congress, in the character of a merchant, having something to communicate to him that may be mutually beneficial to France and the North American Colonies; that you request an audience of him, and that he would be pleased to appoint the time and place. At this audience, if agreed to, it may be well to show him first your letter of credence, and then acquaint him that the Congress, finding that in the common course of commerce, it was not practicable to furnish the continent of America

* Passage in brackets omitted in Sparks' edition. As to Sackville (Germain), see introduction, § 27n.

† See Introduction, § 205.

‡ 1 Sparks' Dip. Rev. Corr., 5. As to this committee, see Introduction, §§ 103, ff.

§ As to Dubourg, see Introduction, § 74.

with the quantity of arms and ammunition necessary for its defense (the ministry of Great Britain having been extremely industrious to prevent it), you have been dispatched by their authority to apply to some European power for a supply. That France had been pitched on for the first application, from an opinion that if we should, as there is a great appearance we shall, come to a total separation from Great Britain, France would be looked upon as the power whose friendship it would be fittest for us to obtain and cultivate. That the commercial advantages Britain had enjoyed with the Colonies had contributed greatly to her late wealth and importance. That it is likely great part of our commerce will naturally fall to the share of France, especially if she favors us in this application, as that will be a means of gaining and securing the friendship of the Colonies; and that as our trade was rapidly increasing with our increase of people, and, in a greater proportion, her part of it will be extremely valuable. That the supply we at present want is clothing and arms for twenty-five thousand men, with a suitable quantity of ammunition, and one hundred field pieces. That we mean to pay for the same by remittances to France, or through Spain, Portugal, or the French Islands, as soon as our navigation can be protected by ourselves or friends; and that we, besides, want great quantities of linens and woolens, with other articles for the Indian trade, which you are now actually purchasing, and for which you ask no credit, and that the whole, if France should grant the other supplies, would make a cargo which it might be well to secure by a convoy of two or three ships of war.

If you should find M. de Vergennes * reserved, and not inclined to enter into free conversation with you, it may be well to shorten your visit, request him to consider what you have proposed, acquaint him with your place of lodging, that you may yet stay sometime at Paris, and that, knowing how precious his time is, you do not presume to ask another audience; but that, if he should have any commands for you, you will, upon the least notice, immediately wait upon him. If, at a future conference, he should be more free, and you find a disposition to favor the Colonies, it may be proper to acquaint him that they must necessarily be anxious to know the disposition of France on certain points, which, with his permission, you would mention, such as whether, if the Colonies should be forced to form themselves into an independent State, France would probably acknowledge them as such, receive their ambassadors, enter into any treaty or alliance with them, for commerce or defense, or both? If so, on what principal conditions? Intimating that you shall speedily have an opportunity of sending to America, if you do not immediately return, and that he may be assured of your fidelity and secrecy in transmitting carefully anything he would wish to convey to the Congress on that subject. In subsequent conversations you may as you find it convenient, enlarge on these topics

*As to Vergennes, see Introduction, §§ 50, *ff.*

that have been the subjects of our conferences with you, to which you may occasionally add the well-known substantial answers we usually give to the several calumnies thrown out against us. If these supplies on the credit of the Congress should be refused, you are to endeavor the obtaining a permission of purchasing those articles, or so much of them as you can find credit for. You will keep a daily journal of all your material transactions, and particularly of what passes in your conversation with great personages; and you will, by every safe opportunity, furnish us with such information as may be important. When your business in France admits of it, it may be well to go into Holland, and visit our agent there, M. Dumas, conferring with him on subjects that may promote our interest, and on the means of communication.

You will endeavor to procure a meeting with Mr. Bancroft* by writing a letter to him, under cover to Mr. Griffiths, at Turnham Green, near London, and desiring him to come over to you in France or Holland, on the score of old acquaintance. From him you may obtain a good deal of information of what is now going forward in England, and settle a mode of continuing a correspondence. It may be well to remit a small bill to defray his expenses in coming to you, and avoid all political matters in your letter to him. You will also endeavor to correspond with Mr. Arthur Lee, agent of the Colonies in London. You will endeavor to obtain acquaintance with M. Garnier, late *chargé des affaires de France en Angleterre*, if now in France, or, if returned to England, a correspondence with him, as a person extremely intelligent and friendly to our cause. From him you may learn many particulars occasionally, that will be useful to us.

B. FRANKLIN.
BENJ. HARRISON.
JOHN DICKINSON.
ROBERT MORRIS.
JOHN JAY.

A. Lee to Mrs. Bache (Dr. Franklin's daughter).†

LONDON, March 19th, 1776.

DEAR MADAM: I was promised, but am disappointed, of an exact list of the land forces to be employed in America the ensuing summer, but the number will not, I am assured, exceed thirty-five thousand men. The plan long concerted, and now to be executed, is to make the strongest possible efforts by the way of Quebec and New York; the forces going to the former of these places are to cross the lakes and advance towards Albany until they meet the other army, which is to ascend Hudson River from New York. The junction thus meditated is considered as

*As to Bancroft, see Introduction, § 196.

† MSS. Dept. of State. As to erroneousness of A. Lee's predictions, see introduction, §§ 150-151.

a measure that will surround the New England colonies, deprive them of all intercourse, succor and provisions from the southward, and thus produce their subjugation. One thousand troops have been some time embarked, and endeavoring to get out of the channel (under convoy), in order to enter the river St. Lawrence as soon as that river becomes navigable, and thereby to raise the siege of Quebec, or at least to assist it to hold out until the arrival of 12,000 Hessians, who are expected to be ready to sail for the same place (with General Burgoyne) early in April. With these troops will be sent out the frames of several sloops to be put together on the lakes, in order to enable the army to cross those waters with less delay; and, if Quebec should have surrendered before any assistance arrives, it is expected the armament going thither will be sufficient to retake it very soon. Seven regiments, under Lord Cornwallis, convoyed by Sir Peter Parker, lately sailed from Ireland for Virginia, but by a severe storm the fleet was separated, and several of the transports, with some bomb ketches, are put back much damaged; what is become of the rest we know not. Another part of the ministerial plan is to land an army at Perth Amboy and march from thence to Philadelphia. Wagons and two thousand draught horses are certainly embarking, in order to facilitate the operations of this campaign, and particularly (it is confidently said at St. James's) in what relates to the proposed expedition from Perth Amboy to Philadelphia, and, it is also added, that some ships of war are to ascend the river Delaware in order to divide your attention and force during the march of the troops from Amboy. The friends of America took great pains in both houses of Parliament, last week and the week before, to excite administration to speak out, what terms they would accept from the Americans, and the ministers and their friends unreservedly avowed in both houses, that they would not treat with them *while they had arms in their hands*, and that they would *never* allow them any other mode of taxation than as contained in Lord North's proposition of February, 1775. In a word, *unconditional submission* is the language and intention of the court, as they are induced to believe that the force going out will certainly produce it. I send you by this conveyance the treaties with the Landgrave of Hesse, etc., by which you will find the number of troops that these *princes* have furnished administration to butcher the king's subjects in America. May God inspire the Congress and their constituents with true wisdom and fortitude in the discharge of their respective duties, and may the savage machinations of their adversaries be defeated; and that you may be blessed with health and spirits are the ardent aspirations of, my dear friend,

Yours, etc.

I have only to add that Col. G. L. goes out in the fleet with General Burgoyne to Quebec, and takes with him £12,000 of goods to distribute in presents among the Indians.

Franklin to Dumas.*

PHILADELPHIA, March 22d, 1776.

DEAR SIR: I wrote to you lately by Mr. Story,† and since by another conveyance. This line will be delivered to you by Mr. Deane, who goes over on business of the Congress, and with whom you may freely converse on the affairs committed to you in behalf of that body. I recommend him warmly to your civilities. Messrs. Vaillant and Pochard continue close at their new business, and are already able to subsist by it; as they grow more expert, they will be able to make more money.

Mr. Deane will inform you of every thing here, and I need not add more than that I am, with esteem and respect, etc.

B. FRANKLIN.

Arthur Lee to Lieutenant Governer Colden.‡

APRIL 15, 1776.

DEAR SIR: On the 7th ultimo the snow *Dickinson*, Captain Meston, consigned to Messrs Montandouine & Frere, at Nantes, was brought into Bristol by her crew, and delivered up, with all her papers. From these the ministry are apprised of all the ships which have been sent to the different ports of France, and cruisers are dispatched into the Bay of Biscay to watch them. John Sands, mate of the *Dickinson*, had made memorandums, long before he left Philadelphia, of every material transaction, which shows a premeditated plan of treachery. The proceedings of the ministry, relative to this proof of the French interposition, have not yet transpired; but France does not seem to be settled or spirited enough to enter into a war should England resent this business.

On the 5th of this month a fleet sailed with 2,000 Brunswick troops and General Burgoyne;§ it is therefore understood that they are gone to suc-

* 5 Sparks' Dip. Rev. Corr., 190.

† See index, title Story.

‡ MSS. Department of State; 5 Force's Archives (4th series), 941, but without address; 1 Sparks' Dip. Rev. Corr., 384, with omissions and verbal changes.

§ John Burgoyne was born in England in 1722 of a parentage as to which there is some doubt. Horace Walpole, on October 5, 1777, thus speaks of him:

"You ask the history of Burgoyne, the Pompous. He is a natural son of Lord Bingley, who put him into the entail of the estate, but when young Lane came of age the entail was cut off. He ran away with the old Lord Derby's daughter, and has been a fortunate gamester. Junius was thought unjust, as he was never supposed to do more than play very well. I have heard him speak in Parliament just as he writes; for all his speeches were written and labored, and yet neither in them nor in his conversation did he ever impress me with an idea of his having parts. He is, however, a very useful commander, for he feeds the Gazette and the public, while the Howes and the war are so dumb." (Horace Walpole to Mason, October 5, 1777, 6 Cunningham's Walpole, 494.)

But Walpole's intimation that Burgoyne was a natural son of Lord Bingley is denied

cor Quebec. Six regiments, about 4,000 effective men, made up with German recruits, are now ready for sailing orders at Cork. It is probable that they too are destined to Quebec.* The first divisions of the Hessians are not yet arrived, so that it is not likely the whole of them will sail till the latter end of May. They are, by stipulation, to serve altogether, and therefore will go to Boston or Long Island. It is supposed the provincials will possess the strong posts on Elizabeth River, which, if in the enemy's hands, will give them the command of Jersey, Staten Island, etc. If the provincials always have redoubts in the front and flanks of their army, it is the opinion of the ablest in the profession that they will be better than entrenchments or lines, and will foil the regulars by breaking their line, or forcing them to sacrifice a number of men, which they can not afford.

People here begin to feel the matter as very serious, since the publications of Dr. Price and Lord Stair have convinced them that new taxes must be imposed for supporting this armament, which it is certain will cost upwards of twelve millions. [This, therefore, is universally believed to be the last effort of administration, and if they do not

in a note to 1 Jones' History of New York, 681, and his father is there stated to be Sir John Burgoyne, "the third Baronet of Sutton," whatever this may be. It is further said that "the exigencies of party in the House of Commons induced Lord George Germaine to adopt the policy of conciliating the opposition by appointing Burgoyne, one of their friends," etc. But Germaine was not the man to appoint an unsuitable general to conciliate an opposition which he took every opportunity to defy; and when Burgoyne returned, and the issue was raised between him and the Howes, it was well understood that the opposition would not support him on such an issue. That Walpole's intimation was erroneous is also shown in Fonblanque's Burgoyne, 6.

Burgoyne's licentiousness and luxury when in command have been already noticed. (Introduction, § 23.) He succeeded, however, in overcoming the aversion of the Earl of Derby, his father-in-law, who settled £300 a year on him, and left him at his death in 1776 £25,000. Burgoyne's first service was in 1761. He was elected to Parliament in 1761 from Midhurst, and in 1768 he contested Preston at an expense of £10,000; but in consequence of alleged bribery on his part in this contest he was prosecuted, and on conviction was fined £1,000. As a personal friend and supporter of the Duke of Grafton, and as having in some way offended the author of Junius, he became a favorite object of Junian invective.

Burgoyne's first appearance in America in a military capacity was at the battle of Bunker Hill, where, however, he was not in command. He visited England in 1776, and when in London had frequent conferences with Germaine, North, and George III, when the attack on New York from Canada was planned, and he was selected to command the expedition. The character and results of his campaign are noticed above.

On Burgoyne's return to England he was very coldly treated by the king, and a court-martial was refused to him on the ground that a prisoner under parol could not be put on trial. (See Walpole to Mason, May 15, 1778; 7 Cunningham's Walpole, 65.) Stung with what he thought hard treatment, he published a narrative of his campaign, laying great blame on Germaine and indirectly censuring Howe. In the House of Commons he went into violent opposition to the ministry, who tried to exclude him on the ground that being a paroled prisoner he was not eligible to a parliamentary seat. This position, however, was not sustained by Cornwall, and

*As to these predictions, see introduction, §§ 150, 151.

succeed this campaign it will be utterly impossible for them to find men or money for such another.] * The ships sent out are exceedingly ill-manned, and there is such a disposition to desertion among the German troops that if proper offers are made to them the ministerial people are much afraid they will desert in great numbers. They have hopes, however, that divisions will take place among the provinces and in the Congress, as they are satisfied that firmness and unanimity will force their own terms.

The city of London has addressed the throne for an avowal of the conditions on which peace is to be restored. The answer was, in effect, unconditional submission. You may reckon that in July the troops will be arrived, so as to enable General Howe to take the field. Lord Howe, though he has accepted the command, is not yet sailed; he goes in the *Eagle*, of sixty-four guns. He is a brave man, but has a very confused head, and is therefore very unfit for an extensive command. As there will not be above two line-of-battle ships, if the Congress could procure five line-of-battle ships from the French and Spaniards, they might destroy or drive the whole British fleet from their coasts. Adieu.

was not pressed by the ministry. The whigs, as a body, supported Burgoyne in his assaults on the ministry, letting him understand, at the same time, that he must not attack the Howes, who were also under whig influence. Burgoyne, finding himself in military disgrace, resigned his appointments; but when the Rockingham ministry came into power in 1782 he was restored to his rank and made commander-in-chief in Ireland. When the whigs went out of power he resigned again his military commission, retaining his seat in the House of Commons, but chiefly devoting himself to literature, for which, on its dramatic side, he had a great taste. He died in 1792. In 1808 his works were published in two volumes, containing, among other things, a vaudeville, the "Maid of the Oaks," written in 1774, a comic opera, "The Lord of the Manor," produced in 1780, and "The Heiress," which came out in 1786.

On August 8, 1777, Walpole thus wrote to Lady Ossory:

"Have you read General Burgoyne's rhodomontade, in which he almost promises to cross America in a hop, step, and a jump? I thought we were cured of hyperboles. He has sent over, too, a copy of his talk with the Indians, which they say is still more supernatural. I own I prefer General Howe's taciturnity, who, at least, if he does nothing, does not break his word. It is supposed the latter is sailed to Boston, and the former has kicked Ticonderoga into one of the lakes. I don't know which; I am no geographer." (Walpole to Lady Ossory, August 8, 1777; 6 Cunningham's Walpole, 465.)

On December 5, 1777, he wrote to the same correspondent:

"I must own I had not sorted my feelings into different drawers, and therefore can not one day pull out one, and grieve for burning a town or destroying a beautiful province, and the next day take out an assortment of compassion for an army that marched under such a savage proclamation as Burgoyne's. The accounts that are come, own that the provincials have treated him and his fellow-prisoners with the utmost humanity. On the other hand I must contradict myself and do justice to General Clinton, who spared all he could when he took the two forts. We have been horribly the aggressors; and I must rejoice that the Americans are to be free, as they had a right to be, and as I am sure they have shown they deserve to be." (7 Cunningham's Walpole, 13.)

* Passage in brackets omitted in Sparks' ed.

Vergennes to Beaumarchais.*

VERSAILLES, April 26, 1776.

I have laid before the king's eyes, sir, the letter you did me the honor to write to me, Tuesday, the 16th, and not the 12th, of this month. I have the satisfaction of announcing to you that his majesty much approved of the noble and frank manner in which you repelled the attack made upon you by Lord Rochford on the subject of the American vessel, destined, it is said, for Nantes, and taken to Bristol. You said nothing which his majesty would not have ordered you to say, if he could have foreseen that you would be called upon to give an explanation on a point so foreign to the duties with which you are charged. According to Lord Rochford's tone, he would seem to base his arguments on an agreement binding us to make England's interest our own. I am not acquainted with this agreement. It does not exist in the example which England gave us when she thought she could injure us. Let it only be remembered what her conduct was with regard to us during the troubles of Corsica. I do not cite this example by way of authorizing us to follow it. A king faithful to his principles of justice does not seek to take advantage of the situation of the English in order to increase their embarrassment; but he can not take away from his subjects the protection he owes to their commerce. * * * It would be contrary to all reason and propriety to pretend that we ought not to sell any article of commerce to any person, because it would be possible it might pass, at second hand, into America.

[After divers details, the minister terminates thus:]

Receive all my compliments, sir. After having assured you of the king's approbation, mine ought not to appear to you very interesting; however, I can not help applauding the wisdom and firmness of your conduct, and of renewing to you the expression of my esteem.

I am, very perfectly, sir, etc.

DE VERGENNES.

Dumas to Franklin.†

UTRECHT, April 30th, 1776.

SIR: I received on the 6th instant, at The Hague, from Mr. Thomas Story, the dispatches of the 19th December, 1775, of which he was the bearer.

I am deeply penetrated by the honor done me and the confidence reposed in me by the committee appointed by the general Congress to maintain the correspondence between the American United Provinces

* 3 Lomenie's Beaumarchais and His Times, Edward's translation, 125. As to relations of Vergennes to Beaumarchais, see Introduction, §§ 55 ff. For other correspondence bearing on text, see Index, title Beaumarchais.

† 5 Sparks' Dip., Rev. Corr., 191. See Index, title Dumas.

and Europe, and of which you, sir, are one of the worthy members. I shall die content if the remainder of my life can be devoted to the service of so glorious and just a cause. I accept, therefore, joyfully the commission you have bestowed, and whatever you may think fit to give me in future, and I promise a hearty good will and an untiring zeal. I hope my ability will justify the favorable opinion you entertain of me. This promise on my part is in fact an oath of allegiance, which I spontaneously take to Congress; receive it as such.

When I remarked, in my last letter to you, "that all Europe wishes you the most happy issue in your defense of your liberty," I meant the unprejudiced, equitable, humane European public; in a word, the citizens of universal society, men in general. You must except from this number the holders of English funds, and those courts of Europe who have an understanding with England; these, far from assisting you, will sacrifice you to their interests or their fears. The allies which, under such circumstances, are suitable for you are France and Spain; for it is their interest that you should be free and independent of England, whose enormous maritime power fills them with apprehensions. I have, therefore, opened myself to the French minister, and a copy and translation of your requests and letters of credence to me have been for a fortnight in his hands. In the conversation I had with this minister, I observed that the wishes of his nation are for you. He said that there was one difficulty in affording aid to the Colonies; if they should be reconciled with England they would assist her against the power which had aided them, and would imitate the dog in the fable. I had no reply to make to this, except that in this case reasonable beings were concerned; that if they saw the object was not to deprive them of the liberty for which they were contending, but to assure it to them, they would not be so ungrateful as to join against their benefactors those who wished to destroy that liberty. Finally, he desired to know from me positively what I would ask for the Colonies of his court. I answered that you wished to be informed (1) If the king of France would, from motives of humanity and magnanimity, interpose his mediation on behalf of an oppressed people, and effect a reconciliation which should preserve to them all the liberties they formerly enjoyed? (2) In case such a reconciliation could not be effected, would the nations, subjects of the house of Bourbon, be willing to accede to an alliance with the Colonies, with the advantages of an immense commerce? He was pleased with the former proposition, to offer to his young king the glory of conferring peace on the subjects of others as well as on his own. The other proposition is not disagreeable to him, were it not for the dreadful war which would ensue in Europe. I then delivered to him, together with your letter, a memorial showing how important it was for France not to allow the subjugation of the Colonies. The whole was sent to his court about a fortnight since, and if the answer should be delayed it will be of no disadvantage. Mean-

while we have gained this advantage, that an opening is made which must dispose France in your favor, and engage her to tolerate and secretly to encourage even any assistance your vessels can derive from France, Spain, and the Indies. I have, therefore, in the extract, copied exactly what you pointed out to me as the most necessary, as engineers, arms, munitions, etc.

I have done all this with the most profound secrecy. The person of whom I have spoken to you required it of me, and promised it in return, so that no one in this country excepting him and me knows anything of it. It is more advantageous to you and safer for me that I should not be known as your agent.

Mr. Story,* not daring to take two letters with him to England, one for Arthur Lee, the other for Mrs. Hannah Philippa Lee, left them in safe keeping with me, and he did well. I learn by two letters which I have received from Mr. A. Lee, of the 20th and 23d of April, that, on Mr. Story's landing in England, they took from him a letter which I had sent by him for Mr. Lee; fortunately it was not signed with any true name, and could give no information to your adversaries. They have, therefore, committed this additional violence to no purpose. I have sent those letters to a friend at Rotterdam, according to the request of Mr. Lee, and that friend informs me, under date of May 3, that he has forwarded the packet by a captain of a sloop, one of his old friends, who promised him to deliver them himself to the address which I put upon them by Mr. Lee's directions. The sudden departure of the vessels will prevent me from informing you whether they have been safely delivered. I shall do it by some future opportunity. I joined to the packet a cipher for Mr. Lee, like that I sent to you, but grounded on different words, so that we shall be able to communicate with each other in perfect safety.† I informed him, also, that I had the honor of writing you frequently, so that he can send his letters through me, if he has no better way.

I know an engineer, over thirty years of age, able, experienced, and very well qualified, not only in his branch, but in the whole art of war; in a word, a fine officer, but very inadequately rewarded. I shall not be able to speak with him for several weeks, when I will propose to him the service of the Colonies. But as he is a widower, without means, and has several children, it will probably be necessary, if he accepts, to make him some advances to enable him to go over. I will give you an account in due time of the conversation I shall have with him.

I have indorsed to-day your bill of exchange of £100 sterling to the order of M. Rey, book-seller at Amsterdam. Good reasons prevented me from doing it sooner, and at any other place than Amsterdam. May the conscientious use which I shall make of this fund entirely satisfy

* See Index, title Story.

† As to the difficulties of correspondence, see Introduction, § 105.

your wishes, and the confidence with which you have honored me. I am persuaded of the generosity of Congress, and I pray Heaven that I may deserve by my services to be the object of it, when God shall have blessed their labors for the welfare and prosperity of the Colonies, either by a firm and sincere reconciliation or by the success of your righteous and just arms. In reality, I hope much more than I fear on this point. The wisdom of Congress, so constantly manifested, the perfect union and harmony which prevail there, encourage me more and more. By this rare, happy, and admirable union, much more surely than by all the alliances in the world, you are, and you will finally be, superior to your enemies, however formidable they may appear. *Concordia res parvæ crescunt, discordia maximæ dilabuntur*; may this great truth, and the sublime words of Themistocles to Eurybiades, who raised a weapon against him in the council, "*Strike, but hear,*" be constantly present to your minds and hearts, as well as to those of your constituents. What power will then be able to withstand yours? Ascribe the freedom of this address to the enthusiasm with which I am animated for your union, the noblest edifice that liberty has ever reared. In it centers all that the political world contains attractive for me.

I thank you, sir, for your fatherly kindness to the two French gentlemen. They are young, and ought not therefore to entertain even the idea of being an instant a burden to any one, and a useless load to society.

I am very glad that the *Statement of the points in dispute between Great Britain and the Colonies* has been approved, so far as to cause it to be printed for the instruction of your friends, the Canadians. This is the only effect of that paper, for the printer not having sold enough of his journals to be at any other expense than the impression, has ceased to pay the author of those pieces. I have obtained his address for the purpose of engaging him to assist me in refuting the Jew, Pinto, whose venal pen has been employed in the most insolent manner against the Americans. A certain person, whom you know, regrets having allowed himself to be dazzled by his financial system, so far as to approve it without reserve in a letter or advertisement at the head of the treatise on "Circulation;" for although there are some good things in it here and there, yet that person has long since been enlightened in regard to many false brilliants which the Jew passed off for genuine.

As for the *Idea on government and royalty*, I learn with pleasure that it has been agreeable, and that the time will perhaps come when it will receive more attention. This idea renders me more happy and proud than if I had written the Iliad; for I think with Phaedrus, *nisi utile est quod facimus, stulta est gloria*. It is a seed which I thought myself bound to sow in your country, the only place in the known world where it could spring up. I consider that idea more and more practicable and true, and of all political systems the most completely proof against all objections. It requires only to be developed. God grant that we may

soon be able to do it in peace and at leisure. I shall then beg you, sir, with the estimable and learned author of the Pennsylvania Farmer, to correspond with me on this subject, and to prove it, if not to our contemporaries, at least to posterity.

I thank you, sir, for the Journal of Congress from the 10th of May to the 1st of August, 1775, which you have had the kindness to send me; be good enough to complete it by sending what precedes and follows, for we have here nothing authentic relating to your affairs. All that we know of you we get from the gazettes, imperfectly, by scraps, in a vague and uncertain manner, a mixture of truth and falsehood.

May 9.—I have just received the following letter without signature:

"You will perhaps be tempted to come to the fair at The Hague. I shall have the honor to renew the expressions of my sincere esteem. I shall be at your orders every day at noon or sooner, if you will write me from your lodgings to let me know what hour will be most convenient for you. We shall be able to moralize some moments upon subjects which we have already discussed. I have but little to say to you, which I shall do with a sincerity and candor which, I trust, you will approve."

I shall make this visit Saturday night, so as to return here Sunday night or Monday, not being able to do it otherwise. I shall send this letter to-day to Amsterdam, as they tell me the vessels will else sail without it. I shall, therefore, give you an account of the conversation in another letter, either by the same vessel or by some other. I am sorry to be obliged to leave you in suspense on a subject so interesting.

Receive, sir, for all the members of Congress in general, and for yourself, Mr. Dickinson, and Mr. Jay in particular, the sincere assurances of my profound respect.

DUMAS.*

Vergennes to Louis XVI.

[Translation.]†

MAY 2, 1776.

SIRE: I have the honor of submitting to your majesty the paper which is to authorize me to furnish *a million of livres* for the *use* of the *English colonies*, if you should deign to ratify it with your signature. I add to this, sire, the draft of the reply which I mean to make to

* M. Dumas commonly wrote his dispatches in French, but sometimes in English. It has not been thought necessary to designate between those translated and those written originally in English. Although he wrote the language with a good deal of accuracy, yet foreign idioms and other defects will occasionally be perceived. In some instances the editor has taken the liberty to make free corrections of the author's style, and to omit a good deal of irrelevant matter.—SPARKS. See introduction, § 185; index, title Dumas.

† 7 Flassan's Dip. Français, 149; House Rep. No. 220, Twentieth Congress, first session, p. 15. As to attitude of France at this time, see Introduction, §§ 39, ff; index, titles Vergennes, France.

Mr. Beaumarchais. If your majesty should approve of it, I beg that it may be returned to me without delay. It shall not go forth in my handwriting, nor in that of any of my clerks or secretaries; I will employ that of my son, which can not be known; and, although he is only in his fifteenth year, I can answer positively for his discretion. As it is of consequence that this operation should not be detected, or at least imputed to the government, I propose, if your majesty consents, to call hither the Sieur Montaudoin. The ostensible motive will be to ask an account of his correspondence with the Americans, and the real one to charge him with the transmission to them of the funds which your majesty is pleased to grant them, *directing at the same time all the precautions to be taken as if he advanced the funds on his own account.* On this head also I take the liberty of requesting the orders of your majesty. That being done, I will write to the Marquis Grimaldi, (secretary of foreign affairs in Spain); I will inform him in detail of our operation, and propose to him (de la doubler) to do the same.

Secret Journal of Congress.*

MAY 10, 1776.

Resolved, That the committee of secret correspondence be directed to lay their proceedings before Congress on Monday next, withholding the names of the persons they have employed or with whom they have corresponded.†

Dumas to the Committee of Secret Correspondence.‡

UTRECHT, May 14, 1776.

GENTLEMEN: I wrote the 9th to the person who wrote me the letter of the 6th, of which I have given you a copy, that if what he had to say to me was pressing, I would go and return in two succeeding nights, to be with him Sunday, the 12th, which is between the two; but if the interview could admit a week's delay I should be able to make the journey more conveniently. He answered the next day, 10th of May, as follows:

I have received, sir, the letter you did me the honor to write. I obey instantly the order you have given to answer you as to the day when I shall be able to have the pleasure of seeing you. As what I shall have the honor of saying to you is not pressing, you may put off till Saturday next, eight days hence, that is to say, the 18th of this month, the visit with which you flatter me. Nay, I take the liberty to anticipate you in the offer of expenses in all cases where your good offices will be useful to me. Flattered, honored as I am with the acquaintance I have made with you, I should be very sorry to be a burden to you and to abuse your kindness.

I have the honor to be, very respectfully, sir, at your command.

* MSS. Department of State.

† The history of congressional management of foreign affairs is given in the Introduction, §§ 103 ff.

‡ 5 Sparks' Dip. Rev. Cor., 196.

Do not think, gentlemen, that a childish vanity leads me to recite to you this letter, and to take to myself sincerely the compliments which are addressed to me.

May 21.—I am at length returned from my journey, with which I have been much satisfied, because I think you will have reason to be so. After we had conversed some time on the great and very late news of the evacuation of Boston by your enemies, as a new mark of the wisdom of your operations, our friend (whose name I have promised not to reveal) said the King of England does not forget himself nevertheless, as you see; and he showed me in a gazette a prohibitory edict, very severe, of the Empress Queen of Hungary against all exportation of arms and munitions from her states for America. I had already seen it and I told him so. But what you do not know, said he, is that the king has demanded this of the empress by a letter written with his own hand. I gave him to understand that I hoped his court would not be so partial. You shall know, he replied, for you will comprehend it. As to your first demand, the mediation of the king cannot take place whilst the Colonies are subjects of the King of England, who besides would not accept it. As to your second demand, the king is a true knight, his word is sacred. He has given it to the English to live in peace with them. He will hold to it. While France is not at war with the English he will not ally himself against them with the Colonies, and will not furnish aids to the latter. But, on the other hand, for the same reason the Americans have the same protection and liberty as all other English to resort to France to export thence merchandise, arms, and munitions of war, without, however, forming magazines of them in France, which is not permitted by any nation. Besides, added he, the Colonies have no need that either France or Spain should enter into this war. Commerce alone will furnish to the Americans all that they want to defend themselves.

I am of his opinion. I think even that it will be more advantageous to you and to France also that she should not be hasty to declare openly for you. Once more, gentlemen, your union, your constant love of liberty, your fortitude in turning from all that looks like luxury and in despising it, your hatred of tyranny and despotism, which are the sad fruits of luxury—in fine, all your republican virtues will render you superior to your enemies and invincible even without allies. These, however, will not be wanting, be assured; for it can not be thought that with what is passing in your part of the world ours can long remain at peace. The time will come when your friends will show themselves, and when your alliance will not only be accepted but sought. Meanwhile you have struck a great and wise blow in driving your enemies from Boston. They publish that they have evacuated the place with profound political motives; the public laughs at this pretense.

P. S.—I forgot to mention to you that the person in question offered to re-imburse to me the expenses of my journey, and that I answered

they were already paid ; on which he requested me to tell him at least in what he could do me a favor. I answered that he was doing me such in rendering great service to the Americans. Finally, he desired me to correspond from time to time with him. I engaged to do it and shall not fail. Thus it depends only on you, gentlemen, to render this correspondence more and more interesting. On my part I will be vigilant to profit by all events that can make any change in Europe. Those which happen in America will require, without doubt, that you give me frequently new instructions and orders, provided always with letters of credence, or at least with one that will serve for the time, as you judge proper. I know to whom to address myself to ask for intelligence at the court of France and to have an answer in a few days.

*June 6.—*Here you have a copy of a letter from London, dated May 21. You know well from whom it is.* I have sent to him under the envelope the two letters which Mr. Story had left with me, and I added a cipher, which he has already used with success.

“ Everything is safe. I shall write you fully next week by our friend Story. One Hortalez † will apply to you on business that concerns our friends. He has your address. Be so good as to assist him.”‡

I expect these gentlemen with impatience and shall do all that depends on me for your service and theirs.

I trust you will always answer me speedily and inform me if my letters reach you. I will send you once more a general copy of my preceding letters to supply the loss of one or both in case the vessels that carry them are lost or are taken.

When I promised the minister with whom I had an interview on your affairs not to name him to you, it is only until you expressly require that I make him known to you ; for in that case you may know him when you will.

In about eight days I shall leave Utrecht for a country house within seven leagues of The Hague, where I expect to pass the summer.

I have the honor to be, etc.,

DUMAS.

* The person here referred to is Arthur Lee. —SPARKS. See report of committee of secret correspondence, Oct. 1, 1776; and as to relations of Arthur Lee and Beaumarchais, see Introduction, §§ 61, 142.

† See Introduction, § 61.

‡ This note refers to Beaumarchais, who proposed to go to Holland when he saw Mr. Lee in London. But he afterwards altered his mind and returned directly to Paris.—SPARKS. As to Arthur Lee's engagement with Beaumarchais, see Introduction, § 142.

Secret Journals of Congress.*

MAY 18, 1776.

The secret committee laid before Congress a letter from Mr. Langdon,[†] and the same being read—

Resolved, That it be referred to the committee of secret correspondence, and that the said committee be directed to apply to the marine committee for the use of one or more of the continental fleet, and that they send the same to the French West India Islands, in order to procure, if possible, a number of muskets, not exceeding ten thousand; and further that the said committee be directed to endeavor to discover the designs of the French in assembling so large a fleet, with so great a number of troops, in the West Indies, and whether they mean to act for or against America.[‡]

* MSS. Dept. of State.

† John Langdon was born in Portsmouth, New Hampshire, in 1739. Controlling a large business, he threw all the influence and opportunities it gave him into the revolutionary cause. His correspondence, copies of the material parts of which are in the library of Harvard College, shows that he was an active agent in the obtaining and distribution of supplies for the army. He took the lead in 1774 in the forcible removal of the arms and stores in Fort William and Mary in the harbor of Portsmouth; and by this bold act he placed himself in conspicuous conflict with the royal authorities. He was a delegate to the Continental Congress of 1775, but on being elected navy agent for New England he resigned his seat. His private estate, which was large, he used liberally for the revolutionary cause; and through his exertions in this way Stark's brigade, by which Burgoyne's foraging expedition to Bennington was repulsed, was equipped for service. He was elected again to Congress, in which he sat for several sessions. In the movements instituted by Samuel Adams for the subjection of the executive department of the government to the legislative he appears to have taken no part; but as the war proceeded, and the necessity of increased executive independence became more obvious, he attached himself more particularly to Jefferson and Madison, and with them deprecated the action of the Lees in opposing enlistment of regulars in the army and in resisting compliance by Virginia with the federal calls for taxation. In his large correspondence also there is no evidence that he took any part in the movement for the recall of Franklin, and he was strong in the conviction of the necessity of a loyal discharge of the congressional engagements with France. This threw him into close intimacy with Jefferson, whom he supported for the presidency, and whose policy he maintained as a senator from New Hampshire from 1789 to 1801. On Jefferson's election to the presidency he was offered the post of Secretary of the Navy, which he declined. When the democrats regained political ascendancy in New Hampshire in 1805 he was elected governor, to which post he was re-elected for several terms. In 1812 he was nominated by the democratic congressional caucus as Vice-President on the ticket with Madison. This nomination, however, he declined, and returned to private life, in which he died in September, 1819.

‡ As to congressional proceedings in this relation, see introduction, §§ 103 ff. As to the movements of France at this time, see introduction, §§ 33 ff.

Arthur Lee, under the name of Mary Johnston, to Beaumarchais, under the name of Roderique Hortalez & Co.*

LONDON, May 23, 1776.

M. HORTALEZ: Be persuaded that M. Le Comte de† * * * can not in any manner embarrass you. I pray you to consider, in your arrangements at the cape, that the want of tobacco ought not to hinder your sending out your supplies to the Americans, for tobacco is so weighty an article that it will greatly impede the sailing of the ships, and the essential object is to maintain the war.‡

Franklin to the Commissioners in Canada.§

NEW YORK, May 27, 1776.

DEAR FRIENDS: We arrived here safe yesterday evening, having left Mrs. Walker with her husband at Albany, from whence we came down by land. We passed him on Lake Champlain, but he returning overtook us at Saratoga, where they both took such liberties, in taunting at our conduct in Canada, that it came almost to a quarrel. We continued our care of her, however, and landed her safe in Albany with her three wagon-loads of baggage, brought thither without putting her to any expense, and parted civilly, though coldly. I think they both have an excellent talent at making themselves enemies, and I believe, live where they will, they will never be long without them.

We met yesterday two officers from Philadelphia, with a letter from the Congress to the commissioners and a sum of hard money. I opened the letter, and sealed it again, directing them to carry it forward to you. I congratulate you on the great prize carried into Boston. Seventy-five tons of gunpowder are an excellent supply, and the thousand carbines with bayonets another fine article. The German auxiliaries are certainly coming. It is our business to prevent their returning. The Congress have advised the erecting new governments, which has occasioned some dissension in Philadelphia, but I hope it will soon be composed. I shall be glad to hear of your welfare. As to myself I find I grow daily more feeble, and think I could hardly have got along so far but for Mr. Carroll's friendly assistance and tender care of me. Some symptoms of the gout now appear, which makes me think my indisposition has been a smothered fit of that disorder, which my constitution wanted strength to form completely. I have had several fits of it formerly.

* House Doc. No. 111, appendix, Fifteenth Congress, first session.

† Count Lauraguais (?). See Deane to committee, Aug. 18, 1776, *infra*; introduction, §§ 61, 142.

‡ See answer of June 6, 1776, *infra*; as to Arthur Lee's position in England in 1776, see introduction, § 143; as to Hortalez, see introduction, § 61.

§ 8 Sparks' Franklin, 183.

God bless you and prosper your counsels, and bring you safe again to your friends and families. With the greatest esteem and respect, I am, etc.,

B. FRANKLIN.*

A. Lee to the Committee of Secret Correspondence.†

JUNE 3, 1776.

GENTLEMEN: The desire of the court of France to assist may be depended on; but they are yet timid and the ministry unsettled. Turgot, lately removed, was the most averse to a rupture with England; his removal is of consequence. The contention for the lead now is between Count de Vergennes and the Duke de Choiseul;‡ both are friends to you and for vigorous measures. The disposition there may, for these reasons, be relied on. Spain is more reserved [her minister here an old woman],§ but assuredly when France moves Spain will co-operate. The clear revenue from the farm of tobacco is twenty-four millions of livres to France. It has been hinted to me that she is likely to tell Great Britain that if England can not furnish it she will send for it herself. You may judge, therefore, what an important instrument that is in your hands. A Scotch banker, Sir Robert Herries, proposed to the farmers in France to supply them at the home price here, that is with the duty, to which they agreed. He then applied to this government for leave to import it upon paying the duties, which was refused.

[The Scots are the contrivers and supporters of all the measures against you. Nor will they ever desist while the English have a penny

* Sparks adds in notes: "Dr. Franklin's ill state of health compelled him to leave Canada before the other commissioners, and he returned in company with the Rev. Mr. Carroll.

"It was resolved in Congress, 'That it be recommended to the respective assemblies and conventions of the United Colonies, where no government sufficient for the exigencies of their affairs has been hitherto established, to adopt such form of government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular and America in general.—Journals, May 10th.'

As to Franklin's personal relations at above date, see introduction, § 112.

† MSS. Dept. of State; 1 Sparks' Dip. Rev. Corr., 386, with omissions and verbal changes; 6 Force's Archives, fourth series, 685.

"There are only two fragments of the original of this letter remaining; but there is in the office a copy of the whole, indorsed as follows:

"Copy of A. Lee's letter to the committee of secret correspondence, dated June 3d, 1776, and taken from the original in the cover of a dictionary, which was delivered to the secretary of Congress by Robert Morris on the 4th of September, 1778, and to the committee of foreign affairs 7th December following."

"This copy, as well as the indorsement, is written in Mr. Lovell's hand, and attested James Lovell."—SPARKS.

† Introduction, §§ 39 ff.

§ Words in brackets omitted in Sparks' edition.

to be plundered of or a man to be sacrificed. Whatever propositions are made you must consider as coming from the Scots, whose perfidy you know can never be trusted. Don't let the character of Lord Howe deceive you. They have corrupted their English adherents almost to their own degree. Lord Howe has a weak and confused head. Two hundred thousand pounds in specie has been sent to Canada, so that the booty there if you succeed must be great.]*

In the last debate, Lord George Germain, who is undoubtedly minister, affirmed that no treaty would be held with you till you had laid down your arms. My opinion is, that independency is essential to your dignity, essential to your present safety, and essential to your future prosperity and peace. Some of the Congress correspond with Mr. Jackson, of the board of trade, and with Mr. Molleson, a Scotch merchant; the intelligence they give goes directly to the minister.

[To prevent this all correspondence ought to be forbid with the Scots, who are to a man treacherous and hostile, and with the refugee Americans, who also commune with the minister. Parson Maddison has been permitted to return to Virginia, and as he will probably give intelligence, he should be watched.]†

The young gentleman who will deliver this is of great worthiness, and deserves much of his country for his fidelity and zeal. Six thousand of the Hessian troops sailed last month; the remainder is not yet arrived here, so that it may be September before they reach you. In the mean time it may be Howe's plan to amuse you with a negotiation, which may also furnish an opportunity of feeling some pulses among you as to the efficacy of money and promises. Beware of Joseph Reed,‡ of Philadelphia. One Brooke Watson, who was permitted to travel last year from New York to Quebec, gave in a plan to the ministry for attacking Canada, and is with the invaders.§

* Passage in brackets omitted in Sparks' edition.

† Passage in brackets omitted in Sparks' edition. Arthur Lee's denunciations of the Scotch are a survival of his Wilkite and Junian training. See introduction, § 148.

‡ This suspicion was ill founded, as events proved. No man gave more substantial testimonies of his patriotism and ardent zeal in the cause of his country than Joseph Reed. The suspicion grew out of the circumstance that Mr. Reed had corresponded with Lord Dartmouth a year or two before respecting the state of the Colonies.—SPARKS.

§ At the end of this letter is given a minute explanation, now unintelligible, of a cipher.

In the copy in 6 Force's Archives, fourth series, 686, the following is the last paragraph:

This book is better than the last I sent you. It is to decipher what I write to you and for you to write by. This is done by putting the page where the word is to be found and the letter of the alphabet corresponding in order with the word. As there are more words in a page than the letters of the alphabet, the letter must be doubled or trebled to answer that, as thus: to express the troops, you write 369, k. k 381vv; ing, ed, s, etc., must be added when necessary, and distinguished by making no comma between them and the figures, thus: for betrayed, put 33ed. The letters I use are these: a b c d e f g h i j k l m n o p q r s t u v w x y z, which are

Beaumarchais (under the name of Roderique Hortalez & Co.) to **A. Lee** (under name of Mary Johnston).*

PARIS, June 6, 1776.

M. JOHNSTON: I received your letter of the 23d May. I will perform my promises in the way I pointed out. I am about to send to Cape François, on the island of San Domingo, a ship loaded with merchandise to the value of twenty-five thousand pounds sterling, besides cannon powder and stores; but this last article will arrive but in small parcels, on account of the risk. On your part, do not fail to send a ship loaded with good Virginia tobacco, and let your friend send in the ship an intelligent, discreet, and faithful person, with powers to receive the money or merchandise and powder and to make the remittances in tobacco, which I can no more do without than your friend can do without what I send to him; in a word, let him give his notes to my house for what he shall not be able to pay in tobacco, and make certain and solid arrangements with my agent at the cape for the future.

The captain, on his arrival at the cape, must inquire of the first magistrate, who is the merchant intrusted with the affairs of Roderique Hortalez & Co., and he will introduce him to the correspondent of your humble servant.†

A. Lee (under name of Mary Johnston) to **Beaumarchais** (under name of Roderique Hortalez & Co.).*

LONDON, 14th June, 1776.

SIR: I have but one moment to thank you in for your letter of the 6th June, which I received safe this moment. I will do my utmost to answer your wishes; but I advise you, as I advise my friends, to consider always that the communication of sentiments is difficult, and for that reason we ought to do all in our power, without insisting on a certain and immediate return.

(In ciphers): Consider, above all things, that we are not transacting a mere mercantile business, but that politics is greatly concerned in this affair.

(In letters): I have written on your account to our friend Grayman.

twenty-six. I can not use this until I know it is safe. You can write to Mrs. Lee, on Tower Hill, in a woman's hand; if you have both books, say the children are well; if the first only, the eldest child is well; if this, the youngest child is well. They will let this pass.

* House Doc. No. 111, appendix, Fifteenth Congress, first session.

† See Lee's letter to Beaumarchais of May 23, 1776; see introduction, §§ 61, 143; index, title Beaumarchais, Arthur Lee.

Admiral Lord Howe to Franklin,*

EAGLE, June 20, 1776.

I can not, my worthy friend, permit the letters and parcels (which I have sent in the state I received them) to be landed without adding a word upon the subject of the injurious extremities in which our unhappy differences have engaged us. You will learn the nature of my mission from the official dispatches, which I have recommended to be forwarded by the same conveyance. Retaining all the earnestness I ever expressed to see our differences accommodated, I shall conceive, if I meet with the disposition in the Colonies I was once taught to expect, the most flattering hopes of proving serviceable in the objects of the king's paternal solicitude by promoting the establishment of lasting peace and union with the Colonies. But if the deep-rooted prejudices of America, and the necessity for preventing her trade from passing into foreign channels must keep us still a divided people, I shall from every private as well as public motive most heartily lament that this is not the moment wherein those great objects of my ambition are to be attained, and that I am to be longer deprived of an opportunity to assure you personally of the regard with which I am your sincere and faithful humble servant.

HOWE.

A "declaration" by Lord Howe, offering amnesty, came with this letter. Congress ordered the publication of the declaration in the newspapers, so "that the few who still remain suspended by a hope founded either in the justice or moderation of their late king may now at length be convinced that the valor alone of their country is to save its liberties" Dr. Franklin submitted his letter to Congress. After a day's deliberation "it was also resolved that Dr. Franklin may, if he thinks proper, return a reply to the letter he received from Lord Howe."† Franklin's answer will be found *infra*, under date of July 20, 1776; see index, title Howe.

Beaumarchais (under name of R. Hortalez & Co.) to Arthur Lee (under name of Mary Johnston).‡

[In ciphers.]

PARIS, June 26, 1776.

I refer you to my former letter of the 6th of June, of which I pray you to follow the disposition.

The difficulties which I have met with in my negotiations with the ministry have made me take the resolution of forming a company, which shall send out the supplies of powder and stores to your friend, depending, in the mean time, upon remittances in tobacco, at Cape François, and always under the name of your servant,

RODERIQUE HORTALEZ & Co.§

* 5 Sparks' Franklin, 98.

† For a notice of the Howes, see Franklin's narrative, March 29, 1775, *supra*.

‡ House Doc. No. 111, appendix, Fifteenth Congress, first session.

§ See introduction, § 61; index, title Beaumarchais.

Arthur Lee to Dumas.*

LONDON, July 6, 1776.

DEAR SIR: This will be delivered to you by Mr. Ellis, a friend of Dr. Franklin, of liberty, and of America. He is a philosopher, very well instructed on the subject of America, and I trust will be both an agreeable and useful acquaintance while he remains near you.

I thank you for your favor of the 21st of last month. By the last advices from America General Howe was prepared to sail for Halifax, and, it is imagined, to land at New York, where he will certainly be strongly opposed. He numbers ten thousand regulars, and it will be fortunate for us if he makes his attempt before he is joined by the Germans, who sailed the 6th of May.†

The Americans have taken post upon the river Richelieu and the lakes, so that Montreal, not being tenable, is evacuated. General Lee is in Virginia with ten thousand men, expecting Lord Cornwallis and General Clinton. General Washington commands at New York, and General Ward in Boston.

The strange timidity *de la cour Francaise* requires great patience and management; but I think it will at last be brought to act an avowed and decided part. When that happens, *Angleterre* must submit to whatever terms they please to impose, for she is totally incapable of sustaining a war with France. Adieu,

ARTHUR LEE.

Beaumarchais to Deane.‡

JULY 18, 1776.

I don't know, sir, if you have anybody with you whom you may trust for translating the French letters which treat on important affairs. On my part I shall not be able to treat with security in English till after the return of a person whom I expect at this moment from London, and who will be an interpreter between us. Meanwhile I have the honor to inform you that I had for some time past the desire of helping the brave Americans to shake off the English yoke. I have already tried several means to open secret and sure correspondence between the general Congress and a house which I am about to establish on that occasion. I shall exert my endeavors to provide the continent either by way of our West Indies or straight from here if possible, all such articles which the Americans shall be in need of and which they can not any more get from England. I have already mentioned my plan to a gentleman in London who pretends to be much attached to America [Arthur Lee?], but our correspondence since I left England having been carried on

*5 Sparks' Dip. Rev. Corr., 202. As to Ellis, see Dumas to committee, Aug. 10, 1776.

† As to unreliability of Arthur Lee's campaign news, see introduction, §§ 150, 151.

‡ House Doc. No. 111, appendix, Fifteenth Congress, first session.

with difficulty and in ciphers, I have received no answer to my last, in which I tried to fix some terms for that great and important affair.

But since you are vested with a character which permits me to have confidence in you, I shall be very glad to begin anew, in a manner more certain and more regular, a negotiation which was before but touched on. My means are not very considerable, but they may be much increased if we can establish together a treaty of which the conditions shall be honorable and advantageous and the execution of the same shall be exact.

I can not grant either to Mr. Dubourg or to anybody else the confidence of speaking freely of my plan, but when you have compared the nature of the offers which shall be made to you from every quarter, to the disinterested zeal which attaches me to the cause of America, you will perceive what difference there is between treating with common merchants and on the hardest terms, and the good fortune of meeting with a generous friend, who shall think himself happy in proving to your nation, and to you its secret representative, how truly he is devoted to them.

I am, sir, yours, etc.,

CARON DE BEAUMARCHAIS.*

Secret Journals of Congress.[†]

JULY 20, 1776.

A committee, consisting of Messrs. Dickinson, Franklin, John Adams, Harrison, and Morris, having been appointed to prepare a plan of treaties, and this committee having reported, it was—

Resolved, That the plan of treaties be printed for the use of the members under the restrictions and regulations prescribed for printing the plan of Confederation (viz: That eighty copies and no more be printed and deposited with the secretary, who shall deliver one copy to each member; that the printer be under oath to deliver all the copies which he shall print, together with the copy sheet, to the secretary, and not to disclose, either directly or indirectly, the contents of the said plan; That no member furnish any person with his copy or take any steps by which the said plan may be reprinted, and that the secretary be under the like injunction), and that in the printed copy the names of persons, places, and States be omitted.

In this matter the following proceedings took place:

AUGUST 22, 1776.

Congress resolved itself into a committee of the whole, to take into consideration the form or plan of a treaty.

AUGUST 29, 1776.

Congress resolved itself into a committee of the whole, to take into consideration the plan of foreign treaties; and after some time the

* Introduction, §§ 61-143; Index title, Beaumarchais.

† MSS. Dept. of State.

president resumed the chair, and Mr. Nelson* reported that the committee have gone through the same and made sundry amendments therein.

Resolved, That the plan of treaties, with the amendments, be referred to the committee who brought in the original plan, in order to draw up instructions pursuant to the amendments made by the committee of the whole.

That two members be added to the said committee.

The members chosen, Mr. R. H. Lee† and Mr. Wilson.

AUGUST 29, 1776.

Resolved, That the committee to whom the plan of treaties, with the amendments, was recommitted, be empowered to prepare such further instructions as to them shall seem proper, and make report thereof to Congress.

SEPTEMBER 17, 1776.

Congress took into consideration the plan of treaties to be proposed to foreign nations, with the amendments agreed to by the committee of the whole; and thereupon,

Resolved, That the following plan of a treaty be proposed to his most Christian majesty:

[Here follows plan of treaty, as given in 2 Wait's Secret Journal, page 7 *ff.*]‡

* Thomas Nelson was born in York County, Virginia, in December 1738, and was educated at Trinity College, Cambridge, England. Possessed of a large estate, he took an early and influential part in the revolutionary struggle. He was a member of the Virginia provincial conventions of 1774 and 1775, and of the Continental Congress of 1775-76. He signed the Declaration of Independence, but shortly afterward entered the military service as commander-in-chief of the Virginia militia, acting in subordination to Washington. This did not preclude him from taking his seat in Congress when not in the field. He was not in the delegation of 1778; but in 1779 was again elected to Congress, but was unable continuously to discharge his duties in consequence of ill health. In 1780 he advanced large sums for army purposes, by which his estate was seriously impaired. In 1781 he followed Jefferson as governor, and during the British invasion in that year was invested with dictatorial power. It was largely due to his energy and sacrifices that the Virginia troops were kept in action. At the siege of Yorktown he was in command of those troops, and it was said that his own conspicuous mansion, with its valuable library, being within the enemy's line, he pointed it out to the artillerymen as a proper object at which to direct the guns. After the war he was compelled by bad health to abandon public life; and he died in 1789. For a notice of Nelson, see 10 Mag. Amer. History, 457.

† See index, title R. H. Lee. As to his political position, see introduction, § 11. As to his family influence, see introduction, § 153.

‡ As to congressional action on foreign affairs, see introduction, § 103 *ff.*; index, title Congress.

Deane to Beaumarchais.*

JULY 20th, 1776.

SIR: In compliance with your request at our interview of yesterday I send you inclosed copies of my commission and an extract from my instructions, which will fully satisfy you of my being authorized to make the purchases I have applied to you for. To understand this extract, it is necessary to inform you that I was ordered to make my first application to the ministers, and to procure the supplies wanted of them by way of purchase or loan; and in case the credit or influence of Congress should not be such under the present circumstances to obtain them from that quarter, I was instructed then to apply elsewhere. My application to the minister and his answer I have already acquainted you with. With respect to the credit which will be required for the goods and stores which I propose to engage of you, I hope that a long one will not be necessary. Twelve months has been the longest credit my countrymen have ever been accustomed to, and Congress having engaged large quantities of tobacco in Virginia and Maryland, as well as other articles in other parts, which they will ship as fast as vessels can be provided, I have no doubt but very considerable remittances will be made within six months from this time and for the whole within a year; this I shall in my letters urge Congress to do. But the events of war are uncertain, and our commerce is exposed to be affected thereby. I hope, however, that at least such remittances will be made you that you will be able to wait for whatever sum may remain due after the credit we shall agree on is expired, having the usual interest allowed you.

I send you also an invoice of the clothing and of many articles of the furniture and stores necessary for our army, in which I can not be so particular at present as it will be necessary to be hereafter in case you undertake it; but as the articles for the uniforms can at this time be ascertained as well as ever, I have made out a detail of them; though my instructions speak of but 100 brass cannon, and of arms and clothing for 25,000 men, yet, considering the importance of the articles to America, I shall (if to be obtained) venture in a larger quantity, the probability of some part being taken, with other circumstances, will, I think, fully justify me therein. But it is improper to add on this subject until you resolve whether you will undertake, and on the terms, which I presume you will do. As soon as you shall have obtained a translation of this and the inclosed, I will do myself the honor of waiting on you. In the mean time, I am, with the utmost respect and attachment,

Sir, yours, etc.,

SILAS DEANE.†

* House Doc. No. 111 appendix, Fifteenth Congress, first session. Another translation is found in 3 Loméni's Beaumarchais, 147.

† See introduction, §§ 61 ff; index, titles, Deane, Beaumarchais.

Franklin to Lord Howe.*

PHILADELPHIA, July 20th, 1776.

MY LORD; I received safe the letters your lordship so kindly forwarded to me, and beg you to accept my thanks.

The official dispatches to which you refer me contain nothing more than what we had seen in the act of Parliament, viz, offers of pardon upon submission, which I am sorry to find, as it must give your lordship pain to be sent so far on so hopeless a business.

Directing pardons to be offered the Colonies, who are the very parties injured, expresses indeed that opinion of our ignorance, baseness, and insensibility which your uninformed and proud nation has long been pleased to entertain of us; but it can have no other effect than that of increasing our resentment. It is impossible we should think of submission to a government that has with the most wanton barbarity and cruelty burnt our defenseless towns in the midst of winter, excited the savages to massacre our farmers and our slaves to murder their masters, and is even now bringing foreign mercenaries to deluge our settlements with blood. These atrocious injuries have extinguished every remaining spark of affection for that parent country we once held so dear; but were it possible for *us* to forget and forgive them, it is not possible for *you* (I mean the British nation) to forgive the people you have so heavily injured. You can never confide again in those as fellow subjects, and permit them to enjoy equal freedom, to whom you know you have given such just cause of lasting enmity. And this must impel you, were we again under your government, to endeavor the breaking our spirit by the severest tyranny, and obstructing, by every means in your power, our growing strength and prosperity.

But your lordship mentions "The king's paternal solicitude for promoting the establishment of lasting *peace* and union with the Colonies." If by peace is here meant a peace to be entered into between Britain and America, as distinct states, now at war, and his majesty has given your lordship powers to treat with us of such a peace, I may venture to say, though without authority, that I think a treaty for that purpose not yet quite impracticable, before we enter into foreign alliances. But I am persuaded you have no such powers. Your nation, though, by punishing those American governors who have created and fomented the discord, rebuilding our burnt towns, and repairing as far as possible the mischiefs done us, might yet recover a great share of our regard, and the greatest part of our growing commerce, with all the advantage of that additional strength to be derived from a friendship with us; but I know too well her abounding pride and deficient wisdom to believe she will ever take such salutary measures. Her fondness for conquest as a warlike nation, her lust of dominion as an ambitious one, and her thirst for a gainful monopoly as a commercial one (none of them legit-

* 5 Sparks' Franklin, 99; 2 Parton's Franklin, 137.

imate cause of war) will all join to hide from her eyes every view of her true interests, and continually goad her on in those ruinous distant expeditions, so destructive both of lives and treasure, that must prove as pernicious to her in the end as the Crusades formerly were to most of the nations of Europe.

I have not the vanity, my lord, to think of intimidating by thus predicting the effects of this war; for I know it will in England have the fate of all my former predictions, not to be believed till the event shall verify it.

Long did I endeavor, with unfeigned and unwearied zeal, to preserve from breaking that fine and noble china vase, the British Empire, for I knew that, being once broken, the separate parts could not retain even their share of the strength or value that existed in the whole, and that a perfect reunion of those parts could scarce ever be hoped for. Your lordship may possibly remember the tears of joy that wet my cheek when, at your good sister's in London, you once gave me expectations that a reconciliation might soon take place. I had the misfortune to find those expectations disappointed, and to be treated as the cause of the mischief I was laboring to prevent. My consolation under that groundless and malevolent treatment was, that I retained the friendship of many wise and good men in that country, and among the rest some share in the regard of Lord Howe.

The well-founded esteem, and permit me to say affection, which I shall always have for your lordship, makes it painful to me to see you engaged in conducting a war the great ground of which, as expressed in your letter, is "the necessity of preventing the American trade from passing into foreign channels." To me it seems that neither the obtaining or retaining of any trade, how valuable soever, is an object for which men may justly spill each other's blood; that the true and sure means of extending and securing commerce is the goodness and cheapness of commodities; and that the profit of no trade can ever be equal to the expense of compelling it and of holding it by fleets and armies.

I consider this war against us, therefore, as both unjust and unwise; and I am persuaded that cool dispassionate posterity will condemn to infamy those who advised it, and that even success will not save from some degree of dishonor those who voluntarily engaged to conduct it. I know your great motive in coming hither was the hope of being instrumental in a reconciliation; and I believe, when you find that impossible on any terms given you to propose, you will relinquish so odious a command, and return to a more honorable private station.

With the greatest and most sincere respect, I have the honor to be,
etc.

B. FRANKLIN.

According to Mr. Parton this letter was delivered to Lord Howe by Colonel Palfrey, of the American Army, who went on board to arrange a plan for the exchange of naval officers. Colonel Palfrey saw the good-natured admiral read the letter. "I

watched his countenance," he wrote next day to Mr. Hancock, "and observed him often to exhibit marks of surprise. When he had finished reading it he said his old friend had expressed himself very warmly; that when he had the pleasure of seeing him in England he made him acquainted with his sentiments respecting the dispute between Great Britain and the Colonies, and with his earnest desire that a reconciliation might take place equally honorable and advantageous to both. Possessed of these sentiments, and the most ardent desire to be the means of effecting this union, he had accepted the honor the king had done him in appointing him one of the commissioners; and that unfortunately a long passage prevented his arriving here before the Declaration of Independence. I told him he had now a fair opportunity to mention to his friend Dr. Franklin in a private letter his design in coming out and what his expectations from America were. This he declined, saying that the doctor had grown too warm, and if he expressed his sentiments fully to him he should only give him pain, which he would wish to avoid.*

Deane to Beaumarchais.[†]

PARIS, July 24, 1776.

SIR: I have considered the letter you honored me with the 22d, and am of the opinion that your proposals for regulating the prices of goods and stores are just and equitable. The generous confidence you place in the virtue and justice of my constituents affords me the greatest pleasure, and gives me the most flattering prospect of success in the undertaking to their, as well as your, satisfaction, and permit me to assure you the United Colonies will take the most effectual measures to make you remittances, and to justify in every respect the sentiments you entertain of them; but at the same time, as the invoice for clothing only, and without the incident charges, amounts to about two and three millions of livres, and as the cannons, arms, and stores will raise the sum much higher, I cannot, considering the uncertainty of the arrival of vessels during the war, venture to assure you that remittances will be made for the whole within the time proposed; but in that case, as I wrote you before, I hope that the interest on the balance will be satisfactory. With respect to cargoes sent from America either to France or the West Indies, designed as remittances for your advances, I think there can be no objection to their being sent to the address of a house in France, or to your agents where they may arrive.

I find that cannons, arms, and other military stores are prohibited and can not be exported but in a private manner; this circumstance gives me many apprehensions, for, as I can not have those things shipped publicly, I can not have them purchased openly without giving

* For subsequent letter of Howe to Franklin, see *infra*, August 16, 1776. For other correspondence bearing on above, see index, titles Howe and Franklin. As to relations of the United States and Britain in 1775-'76, see introduction, §§ 20 *f*, 27 *f*. As to personal relations of the Howes, see notes to Franklin's narrative of March 22, 1775.

† House Doc. No. 111, appendix, 15th Cong., 1st sess. Another version is in 3 Loménie's Beaumarchais, 149. See introduction, §§ 61 *f*.

alarms, perhaps fatal to our operations. In this case various deceptions and impositions may be practiced. You know that the ambassador of England is attentive to everything done by me, and that his spies watch every motion of mine, and will probably watch the motions of those with whom I am known to be connected. In this situation, and being a stranger in a great measure to your language, I foresee many embarrassments which I know not how to obviate, and such as I fear may greatly perplex even yourself, notwithstanding your superior knowledge and address. Two things, you will agree with me, are as essential as even the procuring of the cannon, arms, etc. First, that they are good and well laid in, and that they be embarked without being stopped and detained. The fate of my country depends, in a great measure, on the arrival of these supplies. I can not, therefore, be too anxious on the subject; nor is there any danger or expense so great but what must be hazarded, if necessary, to effect so capital and important an object. I pray you to consider this subject, and to give me your thoughts upon it. I called on you this morning, with Dr. Bancroft, to have conversed with you on this subject, but found that you was gone to Versailles. Permit me to urge your early attention to this subject, and to assure you that I have the honor to be, with the highest respect,

Yours, sir, etc.,

SILAS DEANE.*

Deane to Dumas. †

PARIS, July 26, 1776.

SIR: The inclosed letter from Dr. Franklin will hint at my business in this city, where I arrived the 7th instant, and should have sent forward this earlier, had I not had hopes of having the honor of presenting it to you in person. This I now find I can not expect, without delaying it beyond all bounds. I therefore forward it by the common conveyance, and inform you that my address in this city is to Messrs. Germany, Guardot & Co., bankers; that I shall tarry here till the last of August, when I propose going to Dunkirk, thence to Amsterdam and Hamburg, in which journey I hope for the pleasure of seeing you. In the mean time I shall be happy in a correspondence with you on the subject of the dispute between the United Colonies and Great Britain, or any other that shall be agreeable to you; and I wish to be informed if I shall be in danger of any disagreeable treatment in my journey through Holland in a private capacity, though it should be known that I was in the service of the United Colonies. It has been suggested to me that

*As to the Deane-Beaumarchais correspondence, see introduction, §§ 61, *f*; index, titles Deane, Beaumarchais.

†*Sparks' Dip. Rev. Corr.*, 203; see index, titles Deane, Dumas.

I might meet with some interruption or difficulties from the friends of the British ministry, which occasions my making this inquiry.

I have the honor to be, etc.,

SILAS DEANE.

P. S.—I read and understand the French language tolerably well, though I am unable to write it.

Robert Morris, for Secret Committee, to Silas Deane.*

PHILADELPHIA, August 7, 1776.

DEAR SIR: The above is a copy of our last, which went by the *Dispatch*, Captain Parker.

The Congress have since taken into consideration the heads of a treaty to be proposed to France, but as they are not yet concluded upon, we can not say more of them by this conveyance. You will see by the newspapers which accompany this that the expedition against South Carolina is foiled by the gallant resistance made there. The enemy, much diminished by sickness, it is thought will attempt nothing further in those parts. The people of North Carolina, who at first had taken up their bridges and broken the roads to prevent the enemy from penetrating their country, have since, being ready to receive him, repaired the roads and bridges, and wish him to attempt making use of them.

General Howe is posted now on Staten Island, near New York, with the troops he carried to Halifax when he was driven out of Boston. Lord Howe is also arrived there with some regiments and more are expected, as the great push seems intended to be made in that province. General Washington's army is in possession of the town, about which many entrenchments are thrown up, so as to give an opportunity of disputing the possession with Howe if he should attempt it and of making it cost him something; but it is not so regularly fortified as to stand a siege. We also have a flying camp in the Jerseys to harass the enemy if he should attempt to penetrate through that province to Philadelphia.

In the different colonies we have now near eighty thousand men in the pay of the Congress. The Declaration of Independence meets with universal approbation, and the people everywhere seem more animated by it in defense of their country. Most of our frigates are launched in the different provinces, and are fitting for sea with all the expedition in our power. They are fine ships and will be capable of good service. Our small privateers and continental armed vessels have already had great success, as the papers will show you; and by abstaining from trade ourselves, while we distress that of our enemies, we expect to make their men-of-war weary of their unprofitable and

* MSS. Dept. of State.

hopeless cruises, and their merchants sick of a contest in which so much is risked and nothing gained. The forming a navy is a capital object with us, and the marine committee is ordered to bring in a plan for increasing it very considerably. The armed boats for the defense of our rivers and bays grow more and more in repute. They venture to attack large men-of-war, and are very troublesome to them. The papers will give you several instances of their success.

We hope by this time you are at Paris and that Mr. Morris * has joined you, whom we recommend to you warmly, and desire you may mutually co-operate in the public service.

With great respect, etc.,

ROBERT MORRIS.

Dumas to the Committee of Secret Correspondence.†

AUGUST 10, 1776.

GENTLEMEN: Mr. Arthur Lee, in his letter of the 11th of June, observes that "Mr. Story ‡ goes from hence directly to America. A French gentleman named Hortalez having something to negotiate for the Congress, I have given him your address." On the eve of my departure from Utrecht, on the 21st of June, I wrote as follows to the person whom you know:§

JUNE 21.

SIR: In the hope that you have consented to make me understand that I shall be one day useful to you, I think it my duty to advise you that I shall depart to-morrow from this city, to pass the summer at a country house half way from here to ——. I shall receive there in all safety your orders if you send your letters to, etc.

I propose also to pass to —— as soon as I can, merely to profit by the permission you have given me to render you my services from time to time. Without having any new plan to propose, the work already marked out has need of your good directions, and I shall be very sorry to fail of the honor of an interview with you, at least once more before your departure, if it is near.

To this I received the following answer, dated June 23:

SIR: I have received the letter you did me the honor to write me the 21st of this month. You flatter me with the hope of seeing you at ——, to which you are brought near by the residence you intend to make during the summer at a country house. This proximity will afford you opportunity to make journeys, by which I shall profit with much pleasure. I am sensible of the esteem which is your due, and of the advantage of meriting the friendship of an experienced man like yourself, uniting literature to the duties of society. I shall listen to you always with an eager desire of profiting by your counsels, and this on all subjects that have engaged your thoughts. I do not yet know the time I shall remain at ——. Perhaps it will be sufficiently long to enjoy oftener the honor of receiving you. This depends on the orders of my court. We are in the least active or most dissipated season.

* Thomas Morris. As to Thomas Morris' relation to his brother, see introduction, § 183; and as to Thomas Morris' character, see index, T. Morris.

† 5 Sparks' Dip. Rev. Corr., 198.

‡ See index, title Story.

§ "Doubtless the French ambassador."—SPARKS.

Business will not flourish much till the fall of the leaves, or even not get warm till the return of snow. I speak of the Old World, for I wish not to extend the picture too much.

Have you any news of the doctor and his friends? I shall be obliged to you to follow my instructions in this respect. I will bear willingly the charge of an express, whom you may send to me when you shall judge proper; otherwise write uniformly by the post. Should I be on a journey, I shall have the honor to inform you of my residence and address. I do not know how to express to you sufficiently, sir, the desire I have to serve you and to deserve a place in your thoughts.

About fifteen days after I replied to this letter as follows:

SIR: The letter with which you honored me, dated 23d of June, has given me the assurance which was needed to console me for the disappointments that have detained me here. Perhaps I shall be at The Hague on Sunday morning. Be assured, sir, that if any thing comes to my knowledge worthy of your attention you shall be informed of it immediately. I have no reason to expect soon to receive news directly. I have written two letters by two different vessels that have sailed from Amsterdam for St. Eustatia; and I expect when another vessel departs to dispatch a third. Before I have an answer much time will pass, and in this time many events. There is, however, a man charged with some commission on their part, to whom they have given my address at Leyden; and I have received two letters from that city—the one of the 21st of May, the other of the 11th of June—in which they pray me to render him service. This is all that I know of him, for the man has not yet appeared.

The more I am favored with your letters, sir, the more I wish to deserve your good opinion. In the mean time I ought to be on my guard against too much presumption, and to think how natural it is to give a gracious reception to the servant for the love of the master. I own to you, sir, that in giving an account to the doctor and his friends of our correspondence I have thought proper to forewarn them thereon. They will be informed of the obliging interest with which you ask news of them. I hope that the time will come when you will be able to permit me to reveal your name.

After having thought long and much, it seems to me that in order to answer completely their intention I ought to present myself also to the Hotel d'Espagne, to be known there simply as charged with such a commission, to open to myself thereby ways of serving my constituents on divers occasions which may present themselves at one moment or another, and not incur the blame which may be reflected even on these gentlemen of having neglected a power so worthy of their efforts. For the rest I shall not do or say any thing in this respect till I have had the honor of seeing you, sir, and I pray you to believe that I shall observe scrupulously the conduct and the discretion that you have had the goodness to prescribe to me.

In consequence I have again conferred with this gentleman. He went to dine at that same house, said that I had been with him, and that I told him I would go also to the other house the next day at 11 o'clock. I went, in fact, and was received *tête à tête* with great ceremony in the hall of audience. I opened briefly my business and drew out a memoir to read to him. He told me that he could not hear me without the order of his master. I read, notwithstanding, and he did not stop his ears. I prayed him to receive and keep the memoir. He refused, alleging continually that he could do nothing without orders. I drew out then my originals, and showed him my three signatures, which he looked at eagerly. In separating I asked him to keep my name concealed at ——. He said to me that he would keep it secret everywhere. He asked me, however, if that was my true name. I assured him it was; he paid me some personal com-

pliments and we parted. I learnt on the next day by another channel that he had, notwithstanding, given an account to his master of this visit, which suffices me, for I have need, as you know, of only one of these good houses. I am always very politely received, and as a friend. This is all that I ask. I do not multiply too much my visits, but to render them always desirable I never appear there without having something interesting to say; and to this end the letters of my worthy correspondent at London are very useful to me. This last has addressed to me lately a person whose conversation, joined to the contents of the letter of which he was bearer, has served me in the composition of a memoir which they approve and I have reason to think they have sent.

This person has induced me to write a letter to you, dated the 4th of August, by way of Bordeaux to St. Domingo, under an envelope of Mr. Caton, merchant, at port St. Nicholas, in that island, of which here is an extract:

A gentleman belonging to Jamaica, a particular friend of Dr. Franklin, and very well known to him, has charged me to write to him, to assure him on good authority of the singular esteem that he has for him and his friends; that they ought to think, *and that he prays him to let them know it*, that the present voice of Parliament is the voice of the English people; that there exists and gathers strength *a great body*, which in truth is not the strongest, but which regards the cause of the Americans as its own, their safety and liberty as its own, which will prefer to see them independent rather than subjugated, and which will make, at the future meeting of Parliament the greatest efforts in their favor; that the basis of this party is already forty peers and one hundred and sixty members of the commons.

The letter which this gentleman brought me began thus: "This will be delivered to you by Mr. Ellis, a friend of Dr. Franklin, of liberty, and of America. He is a philosopher, very well instructed on the subject of America, and I trust will be both an agreeable and useful acquaintance while he remains near you."* This assuring me, I discovered to him that I was the man whom he was seeking, provided with credentials and orders from Congress sufficient to do all the good offices that his friends could wish to render. Thereupon I showed him my credentials; he was satisfied with them, and we exchanged addresses. He promised to write me, and we separated satisfied with each other.

I have the honor to be, etc.,

DUMAS.

Arthur Lee to Dumas.^t

LONDON, August 13, 1776.

DEAR SIR: I answered your last letter immediately. I now inclose you several pamphlets, which contain such an authentic state of facts and such arguments on the American question as will enable its advocates with you to maintain their ground against the pensioner of this

* See Arthur Lee to Dumas, July 6, 1776.

^t 5 Sparks' Dip. Rev. Corr., 204.

court. I beg particularly that you will send some of them to the gentleman who has answered Pinto, the pensioner of this court.

The pamphlet entitled the *Rights of Great Britain, etc.*, is full of the grossest falsehoods. A very material one is exposed by the inclosed extracts from the acts of Parliament granting bounties upon American produce, which proves, by their own words, that those bounties were given for their own interests only. Yet that pamphlet has given a long list of the amount of those bounties and charged it to the Colonies. The fact is as Dr. Smith, a Scotchman, and an enemy to American rights, has stated it in his late labored and long-expected book on the Wealth of Nations. "Whatever expense," says he, "Great Britain has hitherto laid out in maintaining this dependency has really been laid out in order to support their monopoly."* Speaking of the debt incurred last war, he says: "This whole expense is, in reality, a bounty, which has been given in order to support a monopoly. The pretended purpose of it was to encourage the manufactures and to increase the commerce of Great Britain." The operation of this monopoly against the colony he states thus: "The monopoly of the colony trade, therefore, like all the other mean and malignant expedients of the mercantile system, depresses the industry of all other countries, but chiefly that of the Colonies."

When you write to the Congress, it would be well, I think, to mention that, as all the evils have been produced by Scotch counseil and those people prosecute the business with more rancor and enmity, a distinction ought to be made between the treatment of them and other people when made prisoners.

We expect every day some decisive news from New York. The last gazette gives us no reason to fear anything but the chance of war, against which no prudence can provide. We have certain intelligence from Canada that it will be the last of August before the boats will be ready upon Lake Champlain for the ministerial army, so that there is no possibility of their joining Howe. They are putting eleven ships-of-the-line in commission here, which is kept very secret, or it would shake the stocks exceedingly.

Adieu,

ARTHUR LEE.

Lord Howe to Franklin.[†]

EAGLE, OFF STATEN ISLAND, August 16, 1776.

I am sorry, my worthy friend, that it is only on the assurances you give me of my having still preserved a place in your esteem that I can now find a pretension to trouble you with a reply to your favor of the 20th past.

* As to A. Lee's antipathy to the Scotch, see introduction, §148. Adam Smith, so far from being an enemy, was friendly to American rights.

†5 Sparks' Franklin, 103.

I can have no difficulty to acknowledge that the powers I am invested with were never calculated to negotiate a reunion with America under any other description than as subject to the crown of Great Britain. But I do esteem those powers competent not only to confer and negotiate with any gentleman of influence in the Colonies upon the terms, but also to effect a lasting peace and reunion between the two countries, were the temper of the Colonies such as professed in the last petition of the Congress to the king. America would have judged in the discussion how far the means were adequate to the end, both for engaging her confidence and proving our integrity. Nor did I think it necessary to say more in my public declaration, not conceiving it could be understood to refer to peace on any other conditions but those of mutual interest to both countries, which could alone render it permanent.

But as I perceive from the tenor of your letter how little I am to reckon upon the advantage of your assistance for restoring that permanent union which has long been the object of my endeavors, and which I flattered myself when I left England would be in the compass of my power, I will only add that as the dishonor to which you deem me exposed by my military situation in this country has effected no change in your sentiments of personal regard towards me, so shall no difference in political points alter my desire of proving how much I am your sincere and obedient humble servant,

HOWE.*

Deane to the Committee of Secret Correspondence.†

PARIS, August 18, 1776.

I wrote you every material occurrence to the time of my leaving Bordeaux, and sent duplicates by Captains Palmer, Bunker, and Seaver, one of which you will undoubtedly have received before this comes to hand. I left that city on the last of June and arrived here the Saturday following, having carefully attended to everything in the manufacturing or commercial towns in my way; which, indeed, are neither numerous nor of great consequence. I spent at Angouleme a day in viewing what, as to manufactures alone, deserves attention on the journey—the foundry for cannon, where the greatest part of those used in the kingdom are manufactured. The cannon are cast solid, after which they are put as in a turner's lathe and bored out and the outside smoothed and turned at pleasure. They can bore and complete a twelve-pounder in one day in each lathe, which takes four men only to work. The workmen freely showed me every part of their furnace and foundry. On Monday after my arrival I waited on my bankers, and found that Mr. Baneroff‡ had arrived the same day with me, Mr. Thomas

* See for reference to this correspondence, index, titles Howe, Franklin. As to character of the Howes, see Franklin's narrative, under date of March 22, 1775.

† 1 Force's Archives, 5th series, 1011; 1 Sparks' Dip. Rev. Corr., 8.

‡ See introduction, § 196.

Morris and M. Venzonals about ten days before. I waited on M. Dubourg* and delivered him Dr. Franklin's letter, which gave the good gentleman the most sincere and real pleasure.

Mr. Penet,† on his arrival in Paris, waited on M. Dubourg, showed him a copy of his contract with the committee of Congress, and told him he had letters from Dr. Franklin to him, but had left them on the road or at Rotterdam through fear of a search. He told M. Dubourg, to whom he was a perfect stranger, so many particular circumstances that he could not doubt of his sincerity, and in consequence he embarked in his affairs to a large amount. Five or six weeks have now passed without the arrival of the letters said to be left on the road. Arms, powder, etc., to a large sum were in readiness, when my arrival gave him confidence that I would take the burden off him, as he doubted not that my credentials would be explicit. I saw immediately the arrangement of the whole, and that M. Penet had returned to France (copy of the contract excepted) almost as empty-handed as he came to Philadelphia, yet had found means to collect a very considerable quantity of stores, part of which he had actually shipped. This circumstance gave me hopes; yet I found that it would now be expected I should become responsible for the articles, which embarrassed me much, since to detain them would be quite disagreeable, and to step out of my own line and involve myself with Messrs. Blairne and Penet's contract would be equally so.

M. Penet had somehow got intelligence of my being in France and that I was expected at Paris; he therefore waited for me, and I saw him the next day at my hotel, when he complained of want of remittances, and desired me to pledge my credit for the stores, which I waived in the best manner I could, for I saw the consequences might involve me in many difficulties and frustrate my greater designs. I therefore told him I would certify to the merchants, if necessary, that the Congress would pay for whatever stores they would credit them with; and in the mean time advised him to proceed strictly agreeable to the letter of the contract, and I was positive that the Congress would fulfill their part of it. I finally satisfied both him and M. Dubourg, and he parted for Nantes to ship the goods the next day. I must do him the justice that is his due: he has been indefatigable in the business; his heart seems to be entirely in it and I believe him honest; but his connections, either commercial or political, are not of themselves equal to such an undertaking; but the cause he was employed in had in a great measure, I found, supplied this deficiency, which was to me a favorable appearance.

M. Dubourg told me that the ministers would not see me, as they meant to be quite secret in any countenance they gave the United Colonies, and that my arrival in France was already known in London, in consequence of which Lord Stormont arrived express but a few days

* See introduction, § 74; index, title Dubourg.

† See index, Penet.

before and had applied to the court on the subject. I showed him my commission and told him I was determined to apply; for every circumstance, in my opinion, was favorable instead of otherwise. On this he wrote a letter to Count de Vergennes, asking liberty to introduce me the Thursday following, on which day I went to Versailles, and, though the letter had not been delivered to his excellency, yet he gave us immediate admission. Fortunately his chief secretary spoke English well, by which means I had an opportunity of conversing freely with him on the subject of my commission for two hours, and was attentively and favorably heard by him and was asked many questions, which shows that the American disputes had been, and still were, a principal object of attention. I pursued nearly the line marked out by my instructions, stating the importance of the American commerce and the advantages Great Britain had received from a monopoly of it. That, all intercourse ceasing between the two countries, the Colonies had considered where they might dispose of that produce which they necessarily had so large a surplus of, and receive for their raw or first materials the various manufactures they wanted. That they first turned their eyes on France as the best country in Europe for them to be connected with in commerce. That I was purchasing a large quantity of manufactures, for which I expected to pay the money, and that I should want a quantity of military stores, for which remittances would be made. That I doubted not the Colonies had before this declared independency, and that I should soon receive instructions, in consequence, more full and explicit; that in the mean time they were very anxious to know how such a declaration would be received by the powers in Europe, particularly by France, and whether in such case an ambassador would be received from them, etc.?

To which he replied that the importance of the American commerce was well known, and that no country could so well supply the Colonies, and in turn receive their produce, as France; it was therefore the interest of both to have the most free and uninterrupted intercourse, for which reason the court had ordered their ports to be kept open and equally free to America as to Britain. That, considering the good understanding between the two courts of Versailles and London, they could not *openly* encourage the shipping of warlike stores, but no obstruction of any kind would be given; if there should, as the custom-houses were not fully in their secrets in this matter, such obstructions should be removed on the first application. That I must consider myself perfectly free to carry on any kind of commerce in the kingdom which any subject of any other state in the world might, as the court had resolved their ports should be equally free to both parties. That I was under his immediate protection and should I meet with any difficulty, either from their police, with the rules of which he supposed me unacquainted, or from any other quarter, I had but to apply to him and everything should be settled. That as to independency, it was an

event in the womb of time, and it would be highly improper for him to say anything on that subject until it had actually taken place; meantime, he informed me that the British ambassador knew of my arrival, and therefore advised me not to associate with Englishmen more than I was from necessity obliged, as he doubted not I should have many spies on my conduct.

I then told him the precautions I had taken, and should persevere in, in coming from Bermuda, and that I did not mean in public to pass for other than a merchant from that island on speculation during the present cessation of commerce in America; but, at the same time, I told his excellency that I was well assured it was known in London that I was coming long before I arrived in Paris, and I doubted not they conjectured my errand; but at the same time I should take every precaution in my power, and most sincerely thanked him for his protection and assistance so generously offered, which he might depend I would never abuse. He was pleased with my having come by Bermuda and passing as an inhabitant of that island, and said if questioned he should speak of me in that character. He then asked me many questions with respect to the Colonies, but what he seemed most to want to be assured of was their ability to subsist without their fisheries and under the interruption of their commerce. To this I replied in this manner: That the fisheries were never carried on but by a part of the Colonies, and by them not so much as a means of subsistence as of commerce. That, the fishery failing, those formerly employed in them turned part to agriculture and part to the army and navy. That our commerce must for some time be in a great measure suspended, but that the greater part of our importations were far from being necessities of life, consequently we should not suffer under the want of them, whilst it was not wealth or luxuries that we were contending for. That, our commerce ceasing, it would be out of the power of our enemies to support themselves on our plunder, and on the other hand our ships, as privateers, might harass their commerce without a possibility of their retaliating. That I hoped to see a considerable marine force in the Colonies, and that, joined to the impossibility of Britain's guarding so extensive a coast, would preserve some of our commerce until it should be thought an object deserving the protection of other powers.

After many questions on this subject he put this, in which I thought he seemed interested—whether, if the Colonies declare an independency, they would not differ among themselves? To this I replied that the greatest harmony had as yet subsisted, and that I had no grounds to doubt it in future; that the common danger which first drove them into measures which must end in such a declaration would subsist, and that alone was sufficient to insure their union.

He then desired me to give his secretary my address, and said, though he should be glad to see me often, yet as matters were circumstanced his house was too public a place, but that I might put the

same confidence in his secretary as in himself, to whom I might apply for advice and direction; but that whenever anything of importance occurred I need but inform him and he would see me, but on common occasions I must address the secretary, which would be every way more convenient, as he understood the English language well and was a person in whom the greatest confidence could be placed. Having settled the mode of intercourse, I expressed the sense I had of his excellency's politeness and the generous protection he had given me, and on parting said if my commission or the mode of introducing the subject were out of the usual course, I must rely on his goodness to make allowances for a new-formed people, in circumstances altogether unprecedented, and for their agent, wholly unacquainted with courts. To which he replied that the people and their cause were very respectable in the eyes of all disinterested persons, and that the interview had been agreeable.

After this I returned to Paris with M. Dubourg, whose zeal for the American cause led him to draw the most favorable consequences from this beginning. The next day, while from home, I was informed that Count Laureguais* had inquired out my lodgings, immediately after which he asked leave to go for England, which was refused by the court. The same day I was informed that Sir Hans Stanley and Sir Charles Jenkinson, who I knew were at Bordeaux when I left it, were in France for the sole purpose of inquiring what agents were here from the Colonies and what commerce or other negotiation between them and the Colonies was carrying on. This alarmed my friends, and as I had agreed for other lodgings, to which I was next day to remove, M. Dubourg advised me to secrete both my lodgings and name. I told him that the Count Laureguais' conduct appeared mysterious, yet I could never think of keeping myself secret, for though I should not seek these gentlemen nor throw myself purposely in their way, yet I must think it an ill compliment to Count Vergennes to suppose, after what had passed, that I was not on as good and safe footing in France as they or any other gentleman could be. However, his uneasiness made him write to the count what he had advised, who returned for answer that such a step was both unnecessary and impolitic, as it would only strengthen suspicions by giving every thing an air of mystery, while there was not the least occasion for it.

The next day I had a fresh conference with M. Dubourg, who brought me a number of memorials from officers and engineers offering their services in America, some of whom I believe deserve the utmost encouragement; but more of this hereafter. While I was casting in my mind how best to improve the present favorable crisis for supplying the Colonies, Monsieur Beaumarchais made proposals for procuring whatever should be wanted, but in such a manner as was understood by M.

* See Lee to Beaumarchais, May 23, 1776; and see introduction, §§ 61 *ff*; index, title Laureguais.

Dubourg to amount to a monopoly, which indeed was not his only objection, for Monsieur Beaumarchais, though confessedly a man of abilities, had always been a man of pleasure and never of business; but as he was recommended by Count Vergennes, M. Dubourg could not avoid noticing him, but immediately expostulated with the count in a letter, which brought on embarrassments no way favorable, and I saw that M. Dubourg was so far from sounding the views of his superior in this maneuver, that he was, with the best intentions in the world, in danger of counteracting his own wishes, the extent of which were to obtain the supplies of merchants and manufacturers on the credit of the Colonies, in which the strictest punctuality and most scrupulous exactness would be necessary, and which, under the present difficulties of remittance I feared would not be lived up to.

As I had learned that in the late reform of the French army they had shifted their arms for those of a lighter kind, the heavy ones, most of which were the same as new, to the amount of seventy or eighty thousand, lay useless in magazines, with other military stores in some such proportion, I apprehended it no way impossible to come at a supply from hence through the agency of some merchant, without the ministry being concerned in the matter. In such case the merchant would be accountable to the ministry and the Colonies to the merchant, by which means a greater time of payment might be given and more allowance in case of our being disappointed. With this in view, I went to Versailles on Wednesday, the 17th, and waited on M. Gerard,* first secretary of foreign affairs, and presented to him the inclosed memorial,† which led to a very particular conversation on the affairs of America, and which I turned finally on this subject, to which he would not then give me any immediate answer, but promised me one in a day or two. Returning to town, I found Messrs. Dubourg and Beaumarchais had a misunderstanding, the latter giving out that he could effect everything we wished for, and the former, from the known circumstances of M. Beaumarchais and his known carelessness in money matters, suspecting he could procure nothing, and the more so as he promised so largely. They parted much displeased with each other, and Mons. Beaumarchais went directly to Versailles. On M. Dubourg's coming and informing me what had passed I immediately wrote to M. Gerard the inclosed letter,† and in return was desired to come with M. Dubourg the next morning to Versailles.

We went as desired, and after explaining many things to M. Gerard had a conference with his excellency, from whom I had fresh assurances of the utmost freedom and protection in their ports and on their coasts; that, in one word, I might rely on whatever Mons. Beaumarchais should engage in the commercial way of supplies, which, indeed, was all I wished for, as I was on the safe side of the question, viz, on the receiving part. I communicated to his excellency that clause of

* Introduction, § 83.

† Missing.

my instructions for procuring arms, etc., of which he asked a copy. I then informed him that I considered the present as the most critical juncture of American affairs; that the campaign would undoubtedly be carried far into the winter; that supplies now shipped might arrive very seasonably in the fall to enable the Colonies to hold out the present campaign. He replied that no delay should be made by any obstruction of any officer, or others, of the customs or police. He then told me that the Count Laureguais was perhaps a well-meaning man, but not sufficiently discreet for such purposes as this; that Mr. Lee (meaning Mr. Arthur Lee, of London), had confided, he feared, too much in him, and wished me to caution him on the subject, and that if I would write to him he would inclose it in a letter of his by a courier that evening.* I most readily embraced this safe way of corresponding, and sent a letter I had before written, with an addition on this subject, a copy of which is inclosed.

I have thus given you the heads of my negotiation to this time, July 20, and will not take up your time in making remarks on it and the prospect before me, which are obvious, but inform you of the plan I mean to pursue in the execution of my commission, and hint some methods by which I think I may be enabled to complete every part of it to your satisfaction and the relief of my country, which is all my wish and the extent of most ambitious hopes. I go on the supposition of an actual, unconditional independency, without which little can be effected publicly; with it, almost everything we can wish for.

It is by no means probable that Europe will long remain in a state of peace. The disputes between Portugal and Spain are on the point of producing an open rupture; the former relies on England; the latter will look to this kingdom, and has already applied to this court on the subject. Nothing but the division of Poland has taken the king of Prussia's attention off from the injustice done him by Great Britain at the close of the last war. He has now completed his part of that extraordinary work, and, I am well informed, listens with pleasure to the dispute between the United Colonies and Great Britain. He is ambitious of becoming a maritime power, and is already in possession of the capital ports on the Baltic; but without commerce it is impossible to effect the design, and no commerce can put him so directly in the road as the American.† The consumption of coffee, sugar, and other West India productions increases fast in the north of Europe, and it must be his interest at least to supply his own dominions. In case of a war in Europe, France, Spain and Prussia might be brought into one interest, and the Emperor of Germany is too closely connected with his majesty of France to take part against them, after which, Great Britain having her whole force employed in America, there could be nothing on the one hand to prevent Spain and France from reducing Portugal to a submission to the former, nor from Prussia and France subduing and

* See index, title A. Lee.

† See introduction, § 90.

incorporating into their own dominions Hanover and the other little mercenary electorates which lie between them, and which for several centuries have been one principal cause of every war that has happened in Europe.

With respect to Russia,* it is as closely allied to Prussia as to Great Britain, and may be expected to be master in the contest. Denmark and Sweden are a balance for each other and opposites. Not to enlarge on this plan at present, I have only to suggest that an application to the King of Prusia will do no harm, and may be attended with good and great consequences; the Prussian ambassador at this court and at that of London may be sounded on the subject. But my powers and instructions are so limited that I can by no means take such a step; yet when I see Great Britain exerting her whole force, and that of her allies and courting every power in Europe to aid her, I can but wish she may be counteracted in her own system, and, by having employ found for her in Europe, bring her to leave America in peace, and I think myself bound in duty to hint at what to me seems the most probable means. Dr. Bancroft† was full with me in this opinion. Mons. Chaumont,‡ a very wealthy person, and intendant for providing clothes, etc., for the French army, has offered me a credit on account of the Colonies to the amount of one million of livres, which I have accepted. I have in treaty another credit, which, joined to this, will purchase the articles directed in my instructions; the credit will be until May next, before which I hope remittances will be made. I have purchased of said M. Chaumont a quantity of saltpeter at ten sous, or five and one-fourth per cent., in order that Captain Morgan might not return empty.

As soon as I have given the orders for dispatching him and settled some other matters here I design for Dunkirk, to ship the Indian goods, which I hope may arrive in season for the winter supply, though I leave you to consider my situation, with only about six or seven thousand pounds to complete a contract of forty, and the bills for my private expenses being protested, obliged to support myself out of that capital, which I labor to do with all the economy in my power. Dr. Bancroft is returned to London, and by him I wrote to Monsieur Garnier, and agreed on a mode of correspondence. I think your remittances in armed vessels will be much the best method, and I have ordered Captain Morgan's sloop to be armed; and should she arrive safe, recommend him as one I am confident will serve the Colonies with great zeal and fidelity; and I have had some experience of the goodness of his temper and his abilities. Mr. Seymour, his mate, is also deserving of encouragement as a good seaman and of undaunted resolution. I am not without hopes of obtaining liberty for the armed vessels of the United Colonies to dispose of their prizes in the ports of this kingdom, and

* See introduction, § 92.

† As to Bancroft, see introduction, § 196.

‡ See introduction, §§ 125 ff; index, *Chaumont*.

also for arming and fitting out vessels of war directly from hence; but I will not venture on this until I see what effect my last memoir may have, the substance of which is to show the danger to France and Spain if they permit Great Britain to keep so enormous a force in America and to recover the dominion of the Colonies; also how fully it is in their power to prevent it, and by that means deprive Great Britain of the principal source of her wealth and force, even without hazarding a war of any consequence in point of danger.

This memoir, which takes several sheets, I am unable to send you a copy of, as I have no one to assist me, and must make out several copies for the persons to whom they are to be delivered. I was directed to apply for arms and clothes for twenty-five thousand men, and for one hundred field pieces, with ammunition and stores in proportion. This I wished to get of the ministry direct, but they evaded it, and I am now in treaty for procuring them, through the agency of Monsieur Chaumont and Monsieur Beaumarchais, on a credit of eight months from the time of their delivery. If I effect this, as I undoubtedly shall, I must rely on the remittances being made this fall and winter without fail, or the credit of the Colonies must suffer. If I can get the arms out of the magazines and the field pieces here I hope for a much longer credit; but if we send to Sweden for the brass cannon, the credit will not be lengthened beyond that. Some new improvements have lately been made in this branch; consequently the cannon now manufactured will be preferable to those of former construction. Some engineers here assert that iron is preferable to brass—that is, wrought iron—out of which the pieces may be made lighter and to a better purpose. Considering the want of these pieces and the plenty of iron in America, the experiment might, I think, be made without delay. I am still in hopes of procuring an admission of the article of tobacco directly from America, but the Farmers General will not offer equivalent to the risk.

Without intelligence from April to this time leaves me quite uncertain and extremely anxious about the line of conduct now pursuing by Congress, and consequently I cannot, without further intelligence and instructions, proceed in my negotiation either with safety or honor. The resolution of Congress of the 15th of May is not considered by the ministry as a declaration of independence, but only a previous step, and until this decisive step is taken I can do little more to any purpose. This taken, I dare pledge myself the United Colonies may obtain all the countenance and assistance they wish for in the most open and public manner and the most unlimited credit with the merchants of this kingdom. I must, therefore, urge this measure, if not already taken, and that the declaration be in the most full and explicit terms.

Merchants here would speculate deeply in the American trade could they be insured at any premium within bounds. I wish to know if offices are already open, and I would suggest that if the Congress

would take the insurance under their own direction, it would give it such a proportionably greater credit, that supplies would most certainly be obtained in plenty. I shall be able to secure a private interview with the Spanish ambassador and shall present him my memorial, and am in a train which I think will carry it quite to the fountain head.

Thus I have in a minute, possibly a tedious, detail mentioned everything material on my mind which has occurred since my arrival, and submit the whole to the wisdom and candor of the honorable Congress, observing that I have gone to the extent of my instructions, and though I have been successful beyond my expectations, yet I have but been laboring principally to set certain great wheels in motion, which still want something more decisive on my part, and I am confident of all that is wanting to set them so effectually moving as to roll the burden and calamities of war from our doors back with aggravated ruin on its authors, which, if I can be the means of effecting, the world may bestow the rest of its honors on whom it pleases; I shall be contented, the extent of my most ambitious hopes thus accomplished.

I have now to urge a survey with respect to the contents of this letter More that is said in Congress transpires and crosses the Atlantic than you conceive of; more than I can account for without having uncharitable thoughts of individuals, still without fixing them on any one. I have written a short letter to Mr. Jay on common affairs, and have inclosed one to Mousieur Longueville, which I pray may be forwarded; the letter is from his friends here, who have heard of his being a prisoner somewhere in America. M. Dubourg has continued to render me every assistance in his power; to be particular would swell this letter beyond all bounds. His abilities and connections are of the first style in this kingdom, and his zeal for the cause of the United Colonies is to be described only by saying that at times it is in danger of urging him beyond both; in short, I am every way deeply indebted to him personally for bringing me acquainted with agreeable persons of rank and character, and on account of my honored constituents for assisting me to make such a favorable beginning and progress in my business.* I know not how affluent he may be, but as he has really for some time devoted himself to assist in this negotiation, I am confident something honorable will be thought of for him. I have complimented him by asking of him his portrait to be sent to his and my friends in America in my private capacity, mentioning our mutual friend Dr. Franklin. This I found so agreeable, that I am confident some such distinction would be more acceptable than more lucrative rewards. Dr. B. took pains to collect all the political publications of the last year for me and brought them with him; he was at considerable expense in his journey; I sent him from Bordeaux a bill of thirty pounds and paid his expenses in my lodgings here. At parting I desired him to keep an account, and when the money was expended to inform me. This gen-

* See index, title Dubourg.

tleman is certainly capable of giving as good, if not the best, intelligence of any man in Great Britain, as he is closely connected with the most respectable of the minority in both houses, not particularly obnoxious to the majority, and for his abilities, they are too well known to Dr. Franklin to need any attempt to do them justice in a letter.

I am, with the highest esteem and respect for the honorable Congress and their committee of secret correspondence, etc.,

SILAS DEANE.

August 1.—Since writing the foregoing I have been at [Versailles], and am of opinion that a war between Portugal and Spain is at the door, and I have had an interview proposed with the ambassador of Portugal, who resides here, on commercial affairs, which I have most readily embraced, and expect to see him again on Wednesday next, after which I will write you further. His proposals are merely commercial, as is his station, but something else may be investigated.

August 2.—I should have sent this off earlier, but delayed on account of hearing something more directly, if I might depend on certain articles for which I was in treaty; I am now assured I may, and the whole will be ready to ship in all the month of October. My next labor will be to obtain a convoy, which I do not despair of, though it is a delicate question, and I have only sounded at a distance, yet I have no doubt of obtaining one, at least off the coast of Europe, and the articles will be shipped as for the West India Islands. I propose arming and well manning the vessels in which these articles shall be embarked, and I advise again the sending all remittances to Europe in armed vessels. The probability of meeting with English merchants is well worth the risk. I hope that it will be considered that one hundred field pieces, and arms, clothing, and accoutrements, with military stores for twenty-five thousand men, is a large affair; and that, although I am promised any credit, yet as they must be paid for, the sooner the better, if to be done without too great a risk.

A considerable part of these articles are now on hand, and orders are issued for the others by the contractors this day. I prefer Bordeaux to any other port for shipping them from, but the remittances must be made to several, on which I will give you my opinion in my next. A number of gentlemen of rank and fortune, who have seen service and have good characters, are desirous of serving the United Colonies, and have applied; pray let me have orders on this subject. If it be politic to interest this kingdom in the present contest, what way so effectual as to get into their debt for supplies, and employ persons of good family and connections in it in our service? I have given encouragement, on which some are prepared to embark. One Monsieur C., a celebrated engineer, who was chief in that way in the Turkish army, is returned, and is willing to go to America, but the ministry cannot as yet spare him, as certain regulations are making elsewhere; possibly he may go

out some time in the winter; he is a first character in his profession and otherwise. Indeed, this contention has set on foot such a spirit of inquiry in Europe into the state of America, that I am convinced that at the first close of this war, if, as I trust in God, it will close in our favor, there will be an inundation of inhabitants from this side of the globe. Many persons of capital fortunes have declared to me their resolution of moving to America as soon as the liberties of America shall be established, and that many of their friends will accompany them.

August 15.—I received from a friend at Amsterdam a letter informing me that he would be with me on the 20th, and as the vessel could not be sooner ready to sail I determined not to risk this packet by a private hand or by the public post; he is now arrived and takes charge of it in person. Were it possible, I would attempt to paint to you the heart-rending anxiety I have suffered in this time through a total want of intelligence. My arrival here, my name, my lodgings, and many other particulars have been reported to the British administration, on which they sent orders to the British ambassador to remonstrate in high terms; and, to enforce their remonstrances, dispatched Wedderburn* from London and Lord Rochford from Holland as a person of great interest and address to counteract me. They have been some time here, and the city swarms with Englishmen, and as money purchases everything in this country, I have had, and still have, a most difficult task to avoid their machinations. Not a coffee-house or theater or other place of public diversion but swarms with their emissaries; but knowing the ministry are my friends, I attend these places as others, but cautiously avoid saying a word on American affairs anywhere except in my own hotel or those of my intimate friends.

I have seen many more of the persons in power in this time and had long conversations with them. Their intentions are good and they appear convinced, but there is wanting a great and daring genius at their head, which the Count Maurepas is very far from being.† He has even imbibed a notion that no assistance is necessary, as the Colonies are too powerful for Great Britain. All eyes are turned on the Duc de Choiseul. I am convinced the moment he comes into office an active, open, and [friendly part] will be taken. I think he will be minister very soon; meantime I have nothing to complain of the [present ministers]. Indeed, they will not be altered if he takes the lead. I find M. Beaumarchais, as I before hinted, possesses the entire confidence of the ministry; he is a man of wit and genius and a considerable writer on comic and political subjects. All my supplies are to come through his hands, which at first greatly discouraged my friends, knowing him to be a person of no interest with the merchants; but had I been as doubtful as they, I could not have stepped aside from the path so cordially marked out for me by those I depend on. M. Coudray,‡ the en-

*See note to Franklin's narrative to March 22, 1775; introduction, § 123.

†See introduction, §§ 36 *ff.*

‡ See introduction, § 82; index *Coudray*.

gineer I before hinted at, obtained liberty last week to go for America, with as many engineers as he should choose, and was not only assured of M. Beaumarchais being able to procure the stores he had stipulated for, but received orders for them and liberty to take two hundred pieces of brass cannon, lest part might be intercepted. M. Coudray has the character of the first engineer in the kingdom, and his manners and disposition will, I am confident, be highly pleasing to you, as he is a plain, modest, active, sensible man, perfectly averse to frippery and parade. My friends here rejoice at the acquisition, and considering the character of the man, and at whose hands I in effect received him, I must congratulate you on it. Several young gentlemen of fortune, whose families are nearly connected with the court, are preparing to embark for America, by each of whom I shall without disguise write you the characters they sustain here. I have told them that merit is the sole object with the Congress. The bearer can give you some idea of the situation I am in should this packet fail; and should he arrive with it, he may explain some part of it. I am confident his attention to the affairs of America here will be considered by the Congress. I have found him in the mercantile way active and intelligent.

Mr. Carmichael * is now with me from Maryland, and I find him a person of great merit. Respecting the Colonies, he is recommended as such by [name wanting], from whom he has received a letter, but of no immediate importance. He proposes seeing me here this month. M. Dumas has written me two letters from The Hague, but so timid that he has not ventured to sign either, though he speaks in the highest terms of the American cause. The pamphlet called *Common Sense* has been translated, and has a greater run, if possible, here than in America. A person of distinction, writing to his noble friend in office, has these words :

Je pense comme vous, mon cher comte, que le *Common Sense* est une excellente ouvrage, et que son auteur est un des plus grande législateurs des millions d'écrivains, que nous connaissons; il n'est pas doutous, que si les Américains suivent le beau plan, que leur compatriote leur a tracé, ils deviendront la nation la plus florissante, et la plus heureuse, qui ait jamais existé.

Thus freely do men think and write in a country long since deprived of the essentials of liberty. As I was favored with a sight of the letter and permitted to make this extract, I thought it worth sending you as a key to the sentiments of some of the leading men. I must again remind you of my situation here. The bills designed for my use are protested, and expenses rising fast in consequence of the business on my hands, which I may on no account neglect, and a small dourceur, though I have been sparing in that way, is sometimes of the utmost importance. The quantity of stores to be shipped will amount to a large sum; the very charge on them will be great, for which I am the only responsible person. Five vessels arrived from America with fish, which is a

* See introduction, §171, index, Carmichael.

prohibited article, and the officers of the customs detained them, on which I was sent to, and informed that if those vessels came from the Congress to me they should be permitted to unload and sell. Here was a difficulty, indeed, for the captains had not so much as applied to me by letter. However, I assured the [ministers] that there could be no doubt but they were designed for that use, and that the letters to me must have miscarried, on which orders were issued for unloading and storing those cargoes until further intelligence should arrive. I mention this case in confidence, and pray that in future some regulation may be made on this subject, and that vessels coming out may be directed to apply to me as their agent or owner at least, and I will procure in the different ports houses of known reputation to transact their business. This is absolutely necessary, for by this means their articles may be admitted. Tobacco may come in this way and every other article. [I am] deeply indebted ostensibly to M. Beaumarchais; he can obtain the liberty for the discharge of their debts. M. Coudray will see that the articles of ammunition, cannon, etc., are provided in the best manner for the army, and will embark himself by the 1st of October.

I wrote you from Bermuda on the subject of seizing and fortifying that island. I am well informed the British ministry have had it in contemplation, and propose doing it next spring. Mr. Warder, of Philadelphia, came a few days since from Bordeaux to Paris, and called on me with some young gentlemen from New England. He brought letters from my good friends Messrs. [Delaps] in consequence of letters to them from Mr. Alsop. I received him, as I do all my countrymen, with real pleasure. A gentleman present warned him against conversing with a particular person in Paris, to which Mr. W. seemed to agree, yet I am told he went directly from my hotel to that person, and informed him of every thing he heard mentioned and of every person he saw visiting me. Happily he could inform nothing of any consequence, for my chamber was full of a mixed company, and the conversation was general, and in French and in English; but this conduct of his, with his want of common complaisance in leaving the city without calling on me to receive any letters I might have for London, which he had promised to convey, has given me some uneasiness; and I mention the incident only as a caution how and what persons are recommended. The pleasure I feel in seeing one of my own countrymen is such, that I may be in as great danger from them as others, possibly much more. I should be unhappy if any suspicion should operate to the prejudice of this person without cause; but my friends here, who are kindly attentive to every thing that is said or done which respects America, think very strange of his conduct.

I rely on your indulgence for the length and incorrectness of this letter. I have had much on my hands, and no one to assist me in copying, etc. Visits from persons to whom I can not be denied, or visiting them, with constant applications made on various subjects, take up my mornings, and I have had only now and then an evening to write in.

I have seen the prime agent, who proposed something in the way of supplying the Colonies with military stores from Prussia. I shall confer further on the subject with him and write you. I have drawn up a memorial on the commerce of America and its importance to Europe, and shall present it to-morrow to the different personages concerned. I shall send a copy, if I can get one made, by this conveyance. The debt of the Colonies in carrying on the war is a common topic for ministerial writers; but permit me to assure you, at the close of this long letter, that the demand for land in America, if its liberties are established, will more than compensate the whole expense. I will in a future letter be more explicit on this important subject, but am well convinced of the certainty of this fact, "that the advance in the price of lands in America, if the Colonies are victorious, will more than reimburse the expenses of the war." I have nothing material to add. Never were a people more anxious for news than the people of this kingdom are for news from America; and surely you will put me down as one of the first in the roll of American heroes, when you consider my situation, plunging into very important engagements, which I can by no means avoid, yet without funds to support them. But I will not enlarge on this subject, and only say that I have met with every possible encouragement from every person I have seen, whether in or out of office, and I believe no person in the same space of time ever conferred with more of both. My being known to be an American, and supposed to be one of the Congress and in business for the United Colonies, has introduced me beyond what almost any other recommendation could have done, which I mention to convince you of the attention paid here to the cause of the United Colonies and how very popular it has become in this country.

I have repeatedly seen Mr. Hopkins, formerly of Maryland, now advanced to be a brigadier-general in this service. He talks of coming out to America. Should the Due de Choiseul, who is his friend and patron, come into the lead of administration, he might come out to advantage. Insurance from London to Jamaica is 20 per cent. If a few of our cruisers should venture on this coast they might do very well, as they would find protection in the harbors of this kingdom. Coming ostensibly for the purpose only of commerce or otherwise no questions would be asked, and they might wait until an opportunity offered (of which they might be minutely informed), and then strike something to the purpose. I give this hint to individuals rather than to the honorable Congress as a body. The bearer, Mr. McCreary, has obliged me by copying my memoir, which I send herewith. It has had a great run among the ministers of this and some other courts in a private way. M. Beaumarchais writes by this opportunity; he has shown me his letter, and I have agreed in general to the contents, not understanding any exclusive privilege for his house. Everything he says, writes, or does is in reality the action of the ministry; for that a man should but

a few months since confine himself from his creditors, and now, on this occasion, be able to advance half a million, is so extraordinary, that it ceases to be a mystery. M. Coudray was not in the Turkish service, as I was informed; it was a gentleman who proposes accompanying him; but he is an officer of the first eminence, an adjutant-general in the French service, and his prospects here of rising are exceeding good; but he is dissatisfied with an idle life. His proposals in general have been that he should be general of the artillery, and subject only to the orders of Congress or their committee of war or of their commander-in-chief of the army where he might be. In the next place, that he should rank as major-general, and have the same wages, etc., coming in as youngest major-general for the present, and rising, of course.

Many other particulars are not yet adjusted; but considering the importance of having two hundred pieces of brass cannon, with every necessary article for twenty-five thousand men, provided with an able and experienced general at the head of it, warranted by the minister of this court to be an able and faithful man, with a number of fine and spirited young officers in his train, and all without advancing one shilling, is too tempting an object for me to hesitate about, though I own there is a silence in my instructions. I therefore honestly declare I am at your mercy in this case, and I have no uneasiness of mind on the occasion, for should I be sacrificed, it will be in that cause to which I have devoted my life and every [thing] in it. The terms of M. Coudray* may be thought high; but consider a person leaving a certain and permanent service, and his native country, to go he hardly knows where, and it must be supposed he will ask at least as good terms as he could have in his own country; but as the terms have not been particularly considered, I must defer anything further on this subject for the present, hourly in hopes of some explicit intelligence from the honorable Congress. You have the good wishes of every one here. Chevalier de Chastellier desires me this instant to write down his compliments to Dr. Franklin; and with pleasure I say the being known to be his friend is one of the best recommendations a man can wish to have in France, and will introduce him when titles fail.

S. D.†

* See introduction, § 82.

† No copy of this letter is in the Department. It was taken by Mr. Sparks from the appendix to the first volume of Pitkins' History. The words in brackets fill gaps existing in Sparks' text; and for these words I am indebted to Mr. Isham, of the New York Historical Society, who tells me they were made by him as conjectures. In a memorandum of Mr. Sparks, among his papers in the Harvard library, he speaks of having been able to supply, from a copy furnished him by Mr. Mitchell, of Hartford, "the blanks in my copy of the work. Except," he continues, "in two instances of names, which were purposely left blank by the author." Mr. Sparks adds: "The blanks in the printed copy appear to have been caused by the blindness of the manuscript." I have not been able to obtain access to this corrected volume. It is not, I am told, in the Harvard library.

Deane to Dumas.*

PARIS, August 18, 1776.

SIR: Your favor of the 8th, and one earlier, but without a date, are before me, and I return you my thanks for the attention paid to mine, and more especially for the good opinion you entertain of my countrymen and your tenders of service. The business before me is of such a nature that I must be detained some time in this city. If I take a journey to Holland, it will be my choice to make it as a private gentleman; as such I am in Paris, and that character I shall keep, unless obliged to alter it. Parade and pomp have no charms in the eyes of a patriot, or even a man of common good sense; but, at the same time, I can never submit to the changing of my name, unless I am convinced that so humiliating a step will promote the service of my country. I can pass unnoticed under that name, as well as any other, whilst I conduct in every other step as a private gentleman. I have now but little hopes of being in Holland till October, before which such intelligence may arrive from America as may alter my present designs.

The declaration of independency made by the United Colonies is announced in the English papers, but I have received no dispatches on the event, though I am in daily expectation of them. You ask me two questions in your first letter. To the former I answer at once affirmatively, that I have a certain prospect of succeeding in my business; but, as to the latter or second query I cannot so readily reply, for I know not how far the knowledge of me and my concerns may have extended. I am here as a private merchant, and appear as such, whatever suspicion may circulate. As such I can travel, I trust, in your country, which I most ardently wish to see, and the more so on account of the kind, simple, and engaging invitation you have given me. It really affected me, and brought instantaneously to view those happy and peaceful scenes of domestic felicity to which I am at present a stranger. You have all I can give you, a grateful acknowledgment of your kindness, and depend that I will in person acknowledge it on my first arrival in Holland.

It is the policy of the United Provinces of Holland to be neuter to every attention.† The United Colonies only wish them to keep steady to their only true system of policy in the present case; and give me leave to say that a reflection on their former struggles must show them in what point of light the Americans are to be considered. The United Colonies ask no aid or alliances. Let Britain court every, even the most petty and mercenary, power in Europe, the United Colonies only ask for what nature surely entitles all men to, a free and uninterrupted commerce and exchange of the superfluities of one country for those of another, and the first power in Europe which takes advantage of the present favorable occasion must exceed every other in commerce.

*5 Sparks' Dip. Rev. Corr., 205.

† See index, title Netherlands.

But I am rambling. I pray to know in your next letter what sums are due to Holland from the Government of England. Whether the King of Prussia is wholly inattentive to the present proceedings, and on which side his wishes are. *Omnia tentanda.* I really hope to be at The Hague in October, and promise myself great pleasure in seeing you and your lady, to whom, though otherwise unknown, since you have introduced me, you can not refuse presenting my best respects.

I am, with great esteem, etc.,

SILAS DEANE.

"R. Hortalez & Co." (Beaumarchais) to the Committee of Secret Correspondence.*

[Translation.]

PARIS, August 18, 1776.

GENTLEMEN: The respectful esteem that I bear towards that brave people who so well defend their liberty under your conduct has induced me to form a plan concurring in this great work, by establishing an extensive commercial house, solely for the purpose of serving you in Europe, there to supply you with necessaries of every sort, to furnish you expeditiously and certainly with all articles—clothes, linens, powder, ammunition, muskets, cannon, or even gold for the payment of your troops, and in general every thing that can be useful for the honorable war in which you are engaged. Your deputies, gentlemen, will find in me a sure friend, an asylum in my house, money in my coffers, and every means of facilitating their operations, whether of a public or secret nature. I will, if possible, remove all obstacles that may oppose your wishes from the politics of Europe.

At this very time, and without waiting for any answer from you, I have procured for you about two hundred pieces of brass cannon, four-pounders, which will be sent to you by the nearest way, two hundred thousand pounds of cannon powder, twenty thousand excellent fusils, some brass mortars, bombs, cannon balls, bayonets, platines, clothes, linens, etc., for the clothing of your troops, and lead for musket balls. An officer of the greatest merit for artillery and genins, accompanied by lieutenants, officers, artillerists, cannoniers, etc., whom we think necessary for the service, will go for Philadelphia even before you have received my first despatches. This gentleman is one of the greatest presents that my attachment can offer you. Your deputy, Mr. Deane, agrees with me in the treatment which he thinks suitable to his office; and I have found the power of this deputy sufficient that I should prevail with this officer to depart under the sole engagement of the deputy respecting him, the terms of which I have not the least doubt but Congress will comply with. The secrecy necessary in some part of the

* 1 Sparks' Dip. Rev. Corr., 27. As to Beaumarchais, see introduction, §§ 61-66; index, title Beaumarchais.

operation which I have undertaken for your service requires also, on your part, a formal resolution that all the vessels and their demands should be constantly directed to our house alone, in order that there may be no idle chattering or time lost—two things that are the ruin of affairs. You will advise me what the vessels contain which you shall send into our ports. I shall choose so much of their loading, in return for what I have sent, as shall be suitable to me when I have not been able beforehand to inform you of the cargoes which I wish. I shall facilitate to you the loading, sale, and disposal of the rest. For instance, five American vessels have just arrived in the port of Bordeaux, laden with salt fish. Though this merchandise, coming from strangers, is prohibited in our ports, yet as soon as your deputy had told me that these vessels were sent to him by you to raise money from the sale for aiding him in his purchases in Europe, I took so much care that I secretly obtained from the Farmers-General an order for landing it without any notice being taken of it. I could even, if the case had so happened, have taken on my own account these cargoes of salted fish, though it is no way useful to me, and charged myself with its sale and disposal, to simplify the operation and lessen the embarrassments of the merchants and of your deputy.

I shall have a correspondent in each of our seaport towns, who, on the arrival of your vessels, shall wait on the captains, and offer every service in my power. He will receive their letters, bills of lading, and transmit the whole to me. Even things which you may wish to arrive safely in any country in Europe, after having conferred about them with your deputy, I shall cause to be kept in some secure place. Even the answers shall go with great punctuality through me, and this way will save much anxiety and many delays. I request of you, gentlemen, to send me next spring, if it is possible for you, ten or twelve thousand hogsheads, or more if you can, of tobacco from Virginia of the best quality.

You very well understand that my commerce with you is carried on in Europe; that it is in the ports of Europe I make and take returns. However well-bottomed my house may be, and however I may have appropriated many millions to your trade alone, yet it would be impossible for me to support it if all the dangers of the sea, of exports and imports, were not entirely at your risk. Whenever you choose to receive my goods in any of our windward or leeward islands you have only to inform me of it, and my correspondents shall be there according to your orders, and then you shall have no augmentation of price but of freight and insurance. But the risk of being taken by your enemies still remains with you, according to the declaration rendered incontestable by the measures I shall take by your deputy himself. This deputy should receive, as soon as possible, full power and authority to accept what I shall deliver to him, to receive my accounts, examine them, make payments thereupon, or enter into engagements which you

shall be bound to ratify as the head of that brave people to whom I am devoted; in short, always to treat about your interests immediately with me.

Notwithstanding the open opposition which the King of France, his ministers, and the agents of administration show, and ought to show, to everything that carries the least appearance of violating foreign treaties and the internal ordinances of the kingdom, I dare promise to you, gentlemen, that my indefatigable zeal shall never be wanting to clear up difficulties, soften prohibitions, and, in short, facilitate all operations of a commerce which my advantage, much less than yours, has made me undertake with you. What I have just informed you of is only a general sketch, subject to all the augmentations and restrictions which events may point out to us.

One thing can never vary or diminish: it is the avowed and ardent desire I have of serving you to the utmost of my power. You will recollect my signature, that one of your friends in London, some time ago, informed you of my favorable disposition towards you and my attachment to your interest. Look upon my house, then, gentlemen, from henceforward as the chief of all useful operations to you in Europe, and my person as one of the most zealous partisans of your cause, the soul of your success, and a man most deeply impressed with respectful esteem, with which I have the honor to be,

RODERIQUE HORTALEZ & Co.*

P. S.—I add here, to conclude, that every American vessel, though not immediately armed or loaded by you, will be entitled to my good offices in this country; but yours, particularly addressed to my house, will receive a particular preference from me. I ought also to intimate to you, gentlemen, that from the nature of my connection it is to be wished you would use discretion even in the accounts that you give to the general Congress. Everything that passes in your great assemblies is known, I cannot tell how, at the court of Great Britain. Some indiscreet or perfidious citizen sends an exact account of your proceedings to the palace of St. James. In times of great exigency Rome had a dictator; and in a state of danger, the more the executive power is brought to a point, the more certain will be its effect, and there will be less to fear from indiscretion. It is to your wisdom, gentlemen, that I make this remark; if it seems to you just and well planned, look upon it as a new mark of my ardor for your rising Republic.

R. H. & Co.

This letter on its face shows how much of the dramatic element was thrown by Beaumarchais into his new adventure. The house of Hortalez was a fiction; Hortalez himself did not exist; but just as the non-existent Spanish merchant was put, for sensational purposes, into a sumptuous palace, the old Hotel de Holland, as a country house, so, when Beaumarchais wrote to Congress in Hortalez' name, he put on

* See, as to this address, introduction, § 61.

all the airs in which, if writing a new Spanish play, he would have clothed a pompous Spanish capitalist coming in as one of his *dramatis personae*. If the committee of secret correspondence had not had some inkling of the nature of its transaction, the tone of this letter would have made the alleged loan appear to them as the vagaries of a dream. No answer was sent to "R. H. & Co."*

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Deane to Beaumarchais.[†]

PARIS, August 19, 1776.

SIR: Since the stores and goods have been engaged and getting ready I have made inquiry of several merchants respecting the charter of vessels for America generally, without mentioning what their cargoes should consist of, and have written in the said way to some of my correspondents, and in the whole I find I shall not be able to provide them so early as is necessary at any rate, and I fear not without making their destination and object too public. You will recollect that I mentioned my apprehensions on this subject some days since, and now propose (if consistent with your other engagements) that you would take the procuring of the vessels necessary on you, at least so far as to be security for the payment of their charter. It gives me pain to put this additional trouble and expense on you, but I know that you think nothing within your power is too great to be undertaken for the service of the United Colonies of America, whose grateful acknowledgments must equal, though they can never exceed, your generous exertions in their favor at this critical and important period of their affairs. These vessels will return with cargoes on your account, which, with what will probably arrive from other remittances, will enable you to proceed to the greatest extent in executing the great and liberal plan you have proposed. I shall do myself the honor of waiting on you to-morrow morning on this and other affairs. Meantime I am, with the utmost respect and attachment, sir,

Yours, etc.,

SILAS DEANE.[‡]

— — —
Deane to Vergennes.[§]

PARIS, August 22, 1776.

SIR: I was this morning informed of the arrival of Mr. Arthur Lee, and that he would be in Paris to-morrow. This was surprising to me, as I knew of no particular affair that might call him here, and, consid-

* See, fully, introduction, § 53 ff., 61; index, Beaumarchais.

† House Doc. No. 111, appendix, 15th Cong., 1st sess.

‡ See introduction, § 53 ff.; index, title, Beaumarchais.

§ 1 Sparks' Dip. Rev. Corr., 30. This letter notes the beginning of the acquaintance between Deane and Arthur Lee. On both sides there was jealousy, which on Lee's part was to grow into a fierce animosity, which had serious consequences, personal as well as public. See introduction, §§ 145-162; index, titles, Deane, A. Lee.

ering the extreme jealousy of the British minister at this time, and that Mr. Lee was the agent of the United Colonies in Great Britain and known to be such, I could wish, unless he had received some particular intelligence from the United Colonies, that he had suspended his visit, as I know not otherwise how he can serve me or my affairs, now (with the most grateful sense I mention it) in as favorable course as the situation of the times will admit.

I have the honor to be, etc.,

SILAS DEANE.

Franklin to Gates.*

PHILADELPHIA, *August 28, 1776.*

DEAR SIR: The Congress being advised that there was a probability that the Hessians might be induced to quit the British service by offers of land came to two resolves for this purpose, which, being translated into German and printed, are sent to Staten Island to be distributed, if practicable, among those people. Some of them have tobacco marks on the back, so that, tobacco being put up in them in small quantities, as the tobacconists use, and suffered to fall into the hands of these people, they might divide the papers as plunder before their officers could come to the knowledge of the contents and prevent their being read by the men. That was the first resolve. A second has since been made for the officers themselves. I am desired to send some of both sorts to you, that, if you find it practicable, you may convey them among the Germans that shall come against you.

*⁶ Bigelow's Franklin, 16.

Horatio Gates was born in England in 1728. According to Horace Walpole, who was his godfather, he "was the son of a housekeeper of the second Duke of Leeds, who, marrying a young husband when very old, had this son by him." (2 Walpole's Journal of the Reign of George III, 200). When twenty-one years of age Gates served under Braddock at the time of the latter's defeat. After this, "although his advancement had been unusually rapid, he was disappointed; and having married a lady of high connections, he sold his commission, and endeavored, through the influence of his friends and the family relations of his wife, to obtain a lucrative appointment under the government. Failing in this, he emigrated to America and settled on an estate which he purchased in Berkeley county, Virginia." (Baxter's Digby's Journal, 169 n.) On the organization of the Continental Army, in 1775, he was appointed adjutant general, with the rank of brigadier. He was placed at first under Washington's command at Cambridge, and in June, 1776, was placed at the head of the troops which were then retreating from Canada. In this position he gained the confidence of the New England troops, and became a confidential correspondent of Samuel Adams, of Richard H. Lee, and others who were restive under the supposed "Fabianism" of Washington. General Schuyler, who had Washington's confidence, was then in command of the troops detached to oppose Burgoyne's invasion, but to Schuyler Samuel Adams and other leading New England patriots, were opposed, charging him with extreme caution and with want of personal attractiveness. They succeeded in having Schuyler superseded by Gates, though the line of campaign which ended in Burgoyne's surrender had been projected by Schuyler. Gates' suc-

The Congress continue firmly united, and we begin to distress the enemy's trade very much; many valuable prizes being continually brought in. Arms and ammunition are also continually arriving, the French having resolved to permit the exportation to us, as they heartily wish us success; so that in another year we shall be well provided.

As you may not have seen Dr. Price's excellent pamphlet, *for writing which the city of London presented him a freedom in a gold box of fifty pounds value, I send you one of them.

My last advices from England say that the ministry have done their utmost in fitting out this armament, and that if it fails they can not find means next year to go on with the war. While I am writing comes an account that the armies were engaged on Long Island, the event unknown, which throws us into anxious suspense. God grant success.

I am, etc.,

B. FRANKLIN.

Dumas to the Committee of Secret Correspondence.†

SEPTEMBER 1, 1776.

GENTLEMEN: After having sent to your correspondent at St. Eustatia, whose address you gave me in your letter of the 12th of December, 1775, my third letter, of which you have here annexed a large extract, I commence my fourth dispatch.

M. Hortalez,‡ of whom Mr. Arthur Lee spoke in two of his letters, has not yet appeared, nor have I received the letter that you say you have written to me between that of the 12th of December, 1775, and that of the 2d of March, 1776. The non-appearance of this gentleman and of the letter here referred to disquiets me somewhat, not only because all

cess at Saratoga was not due either to his strategy or his bravery on the field (see as to battle of Saratoga, *infra*, under date of September 18, 1777), but it brought him great popularity, and he was at once set up for chief command by those dissatisfied with Washington. To their plans he weakly lent himself, and, as elsewhere seen, he was summoned by Congress to attend its session at Yorktown at the time when action adverse to Washington was proposed. (See introduction, § 11.) Gates' want of high tone as well as of distinguished military abilities, however, soon manifested themselves, and the plan of placing him in chief command was gradually abandoned. In June, 1780, he was made commander of the Southern army, to operate against the British troops then in South Carolina, but he here displayed great want of capability and energy, to which the defeat of Camden was mainly attributable. He was recalled, and Greene took his place, showing supreme ability, and succeeding in baffling Cornwallis' campaign, contributing largely to the surrender of Yorktown. A committee was appointed by Congress to inquire into Gates' conduct, and though he was ultimately acquitted, he never again was placed in command. After a short residence on his place in Virginia, where he emancipated his slaves, he took up his abode in New York, where he died in 1790.

* As to Price, see note to letter of Franklin to Priestly, Oct. 3, 1775, *supra*.

† 5 Sparks' Dip. Rev. Corr., 211, under date of Sept. 30.

‡ See introduction, §§ 56, 61 *ff.*

that comes to me from you gentlemen and from your friends is dear and precious to me, but also and above all because I fear that the service of the general Congress may suffer by it.

The bearer of your letter of the 2d of March (Silas Deane) arrived at Paris the 7th of July, whence he sent it to me with one of his own dated the 26th. I have another from him of the 18th of August, in which he remarks to me "that he has a certain prospect of succeeding in his business." He proposes also to visit Holland.

I have before told you that the letters I received had contributed much to render my visits, my letters, and memoirs agreeable in a certain quarter. This will be seen from the following note, which I received a short time since, dated August 26. After having spoken to me of a service which he had consented to render me in his country where I had some affairs to settle and which we had agreed upon as a pretext to mark our interviews, the writer thus proceeds :

"Madame —— has taken the trouble to send me your letters and I beg you to send me by her all interesting particulars, including the narration of the person whom you expect (Silas Deane). I pray you to send me all that you have received since your last letter. I receive packets from all quarters—it pertains to my office—so I shall receive with gratitude whatever you may have the goodness to send me."

I have sent to him open, with a flying seal, the letter that I wrote you by St. Domingo. We agreed on this verbally, and he promised me to send it to Bordeaux well recommended. I have cause to think that this letter has been forwarded and pleased certain persons, on whose account I had expressed, at the close of the letter, that when by legislation and a wise constitution you shall have crowned the work of your liberty I shall die content with having seen a great king and a great republic sincerely wish the good of the people.

I received some days ago another letter from Mr. Deane, dated at Paris, 14th of September. All the letters that I have received from him, as well from you, are precious to me, and this one doubly so, since, besides the kind expressions with which it is filled, my zeal for your cause is recompensed by the testimony that I have well served it.

If I continue not to sign my name* it is not from fear, but because I think your service requires that I remain yet some time unknown, at least until Mr. Deane arrives here, for then I shall be known everywhere for the most zealous American in all the republic, and it will be my pride. All that can come of it will be the loss of my present post; but in this case I am sure that Congress will indemnify me by a subsistence suitable for me and mine, seeing that I shall be able to continue useful to them as much, and even more, than in time past, because I shall not be encumbered with other duties, and all my faculties will be employed in the service of America. I have been much mortified in

* M. Dumas usually signed his dispatches with a fictitious name.—SPARKS. [Sometimes simply with "Concordia."]

not being at liberty, as I have expressed to Mr. Deane. I should have flown to Paris to assist him at least by the knowledge I have of many European languages.

I have the honor to be, etc.,

DUMAS.

Franklin to Lord Howe.*

PHILADELPHIA, September 8, 1776.

MY LORD: I received your favor of the 16th past. I did not immediately answer it, because I found that my corresponding with your lordship was disliked by some members of Congress. I hope now soon to have an opportunity of discussing with you *viva voce* the matters mentioned in it, as I am, with Mr. Adams and Mr. [E.] Rutledge,† appointed to wait on your lordship, in consequence of a desire you expressed in some conversation with General Sullivan, and of a resolution of Congress made thereupon, which that gentleman has probably before this time communicated to you.

We propose to set out on our journey to-morrow morning, and to be at Amboy on Wednesday about 9 o'clock, where we should be glad to meet a line from your lordship, appointing the time and place of meeting. If it would be agreeable to your lordship, we apprehend that, either at the house on Staten Island opposite to Amboy, or at the Governor's house in Amboy, we might be accommodated with a room for the purpose.

With the greatest esteem and respect, I have the honor to be, my lord, etc.

B. FRANKLIN.

* Sparks's Franklin, 187. Mr. Sparks adds in a note: "For Lord Howe's answer to this letter, and other particulars relating to the interview with him, see vol. 5, pp. 97-108." For whole correspondence, see index, titles Franklin, Howe.

† Edward Rutledge was born in Charleston, in 1749, and, after studying law in London, entered on practice in Charleston in 1773. In 1774 he was elected to Congress, and was the youngest member of that body. In 1776 he was placed with Franklin and Adams, on the committee to confer with Lord Howe, as is narrated above. He served during the southern campaigns of 1780-'82, both on the field and in the legislature, taking in the latter body strong ground against the tories. Appointed a justice of the supreme court of the United States, he preferred, he declared, to remain at the bar in practice. In 1798 he was elected governor of the State, but died in January, 1800, before his term closed.

John Rutledge was born in Charleston in 1739. He studied law in London, and began the practice of his profession in Charleston in 1761. He was in the New York Congress which protested in 1765 against the stamp act, and was so prominent on the liberal side that in 1774 he was elected to the first Continental Congress. In that body he was distinguished, it was said, for boldness and for eloquence. In 1776 he was elected president of South Carolina, and in that capacity superintended the successful defense of Fort Moultrie. In 1779, under the new constitution, he was elected governor of the State, and, in view of the approaching siege of Charleston, was invested with dictatorial power. In the next year, however, Charleston was captured by the British, and he then joined the army first under Gates and then under Greene, and remained with it nearly two years. He was a member of the convention by which

William Lee to Dumas.^{*}

LONDON, *September 10, 1776.*

SIR: The 27th ultimo and the 7th instant, in the absence of my brother, Arthur Lee, your two letters for him came safe to my hands. My brother is now on the continent, and perhaps may write to you from where he is. The Declaration of Independence on the part of America has totally changed the nature of the contest between that country and Great Britain. It is now on the part of Great Britain a scheme of conquest, which few imagine can succeed. Independence is universally adopted by every individual in the thirteen United States, and it has altered the face of things here. The tories, and particularly the Scotch, hang their heads and keep a profound silence on the subject; the whigs do not say much, but rather seem to think the step a wise one on the part of America, and what was an inevitable consequence of the measures taken by the British ministry.[†] In short, every one wants to form his judgment by the event of the present campaign, as something decisive is expected to happen from the arrangements under General and Lord Howe and General Carleton before the meeting of Parliament, which will be the 24th of October.

In the mean time every effort is made to prevent France from taking an open or even private part with America, for which purpose Mr. Stanley, Mr. Jenkinson, one of the lords of the treasury, and confidential friend of Lord Bute, and of the solicitor-general, Mr. Wedder-

the federal constitution was framed, giving to it earnest support. To Washington, personally, he was strongly attached and he was appointed by Washington, in September, 1789, to the position of associate justice of the federal supreme court, which post he vacated in 1791 to take the chief-justiceship of South Carolina. In July, 1795, he was nominated by Washington to be chief-justice of the United States. He took his seat on the bench in the succeeding term, but when the Senate met serious opposition was made to his confirmation. It was said, and with truth, that his attachment to the French alliance had led him to sustain proceedings on Genet's part, when at Washington, which were far from being respectful to President Washington. It was said also that he was intemperate, a charge which was grossly exaggerated. Serious and well-founded apprehensions were expressed also as to his health. He was rejected by the Senate, and soon afterwards the anxiety about his health became confirmed. His mind gave way, and he died, after continued illness, in July, 1800. On the question of confirmation by the Senate the vote was of a party character, the yeas being Bloodworth, N. C., Brown, Ky., Burr, N. Y., Butler, S. C., Langdon, N. H., Martin, N. C., Mason, Va., Reed, S. C., Robinson, Vt., and Tazewell, Va.; the nays, Bingham, Pa., Cabot, Mass., Ellsworth, Conn., Foster, R. I., Frelinghuysen, N. J., King, N. Y., Latimer, Del., Livermore, N. H., Marshall, Ky., Paine, Vt., Ross, Pa., Rutherford, N. J., Strong, Mass., and Trumbull, Conn. That Rutledge was nominated by Washington and was supported by the entire democratic vote of the Senate shows that he was not at that time generally regarded as mentally disqualified for the post.

* 5 Sparks' *Dip. Rev. Corr.*, 206. As to William Lee, see introduction, §§ 175 ff.

† As to English parties, see introduction, §§ 27 ff. William Lee, as a political supporter of Wilkes, adopted, as did his brother Arthur, the Wilkite mania as to the Scotch.

burn, have been at Paris some time to aid the negotiations of the British minister, Lord Stormont.* As far as money will answer their purpose it will not be spared. The French are generally acute enough in observing what is for their interest, but most people here are at a loss to conceive what plan they have in view, as they have not hitherto, as we know of, taken any part with America.

The public papers will tell you all the material news we have from America, but in general it is supposed the Americans will stand greatly in want of arms, ammunition, and artillery to oppose such a force as is sent against them, and it is evident they have not experienced officers sufficient to manage such extensive operations as they have in hand. Should you have occasion to write to me, you may address, under cover, as you do to my brother.

I am, with esteem, sir, etc.,

WILLIAM LEE.

Deane to Dumas.[†]

PARIS, September 11, 1776.

SIR: I have to acknowledge the receipt of yours of the 29th ultimo, of the 2d, 5th, and 7th of this month, and at the same time to make my excuses for not answering them earlier; which was owing to my hurry of business, in part and part to my hopes of being able to send you something agreeable from America when I should next write you. Forgive, therefore, this seeming inattention, and accept my warmest thanks for the kind sentiments which you and your good lady entertain for me and my country. The cause of the Americans is the cause of mankind in general, and naturally interests the generous and the good in every part of the world.

The measures you took before my arrival respecting this court were perfectly right, and you may rely on my secrecy as to your concerns. Our commerce is now on as good a footing in this kingdom and in Spain as the commerce of any other nation, and I trust will very soon have an important preference. When I said in a former letter we wanted only a friendly intercourse by way of commerce, I had not the vanity to suppose the actual assistance of European powers was not an object deserving attention; but I must say seriously, that if the American commerce can be established with the trading powers of Europe, and if those powers of Europe would protect that commerce, it would be all the assistance necessary; and the Colonies by land would be more than equal to any thing Great Britain could bring against them. You are entirely right in saying that the house of Bourbon are the allies we should first and principally court. France is at the head of this house, and therefore what is done here is sure to be done by the

* See notice in Deane to committee, Aug. 18, 1776.

† 5 Sparks' Dip. Rev. Corr., 207; 2 Force's Archives, 5th series, 283.

whole. This, therefore, requires my whole attention, and I can only say to you my prospects are nowise discouraging.

As to the King of Prussia,* I will in my next explain more fully my meaning, and at the same time send to you a state of the United Colonies, of their commerce, of their present contest, with some thoughts or observations on the manner in which Europe must be affected, and what part they ought to take in the present important crisis. My name and business have long since been known to the British ambassador here, and to the court of London; and they have remonstrated, but finding remonstrances to no purpose, they have wisely determined to take no notice of me, as I do not appear as yet in a public character.

Let me ask of you if a workman skillful in the founding of brass and iron cannon can be engaged in Holland to go to America? Also, if I can engage two or three persons of approved skill in lead mines to go to America on good engagement? Your answer will oblige me, and by the next post I will write you more particularly. The British arms will not, probably, effect anything in America this season, as they had not begun to act the 8th of August, and that brings winter to the very door, as I may say, and an indecisive campaign must prove to Great Britain a fatal one.

I am, etc.,

SILAS DEANE.

Conference of Franklin, Adams, and Rutledge with Lord Howe.^t

[September 11, 1776.]

General Sullivan, having been taken prisoner in the battle of Long Island, was sent on parole by Lord Howe with an oral message to Congress. On September 2, 1776, Congress sent for General Sullivan, then in Philadelphia, to appear and deliver his message. He did; and the message given by him was as follows:

"Lord Howe could not at present treat with Congress, as such; yet he desired to confer with some of its members, whom he would regard as private gentlemen, and meet at any place they might appoint. He and his brother had full powers to arrange an accommodation on terms advantageous to both countries, the obtaining of which had detained him in England two months, so that he did not arrive in America until after the Declaration of Independence. Nevertheless, if Congress were disposed to treat, many things which they had not yet even asked might and ought to be granted them, and the authority of Congress itself recognized."

The result was that Franklin, John Adams, and Edward Rutledge were elected a committee to confer with Lord Howe.

IN CONGRESS, September 13.

The committee appointed to confer with Lord Howe, having returned, made a verbal report.

Ordered, That they make a report in writing, as soon as conveniently they can.

*See introduction, §§ 90, 91.

^tMSS. Dept. of State; 5 Sparks' Franklin, 104. For prior correspondence, see Howe to Franklin, June 20, 1776; Franklin to Howe, July 20, 1776; Howe to Franklin, Aug. 16, 1776; Franklin to Howe, Sept. 8, 1776.

SEPTEMBER 17.

The committee appointed to confer with Lord Howe, agreeable to the order of Congress, brought in a report in writing, which was read, as follows:

"In obedience to the order of Congress, we have had a meeting with Lord Howe. It was on Wednesday last, on Staten Island, opposite to Amboy, where his lordship received and entertained us with the utmost politeness.

"His lordship opened the conversation by acquainting us that, though he could not treat with us as a committee of Congress, yet as his powers enabled him to confer and consult with any private gentlemen of influence in the Colonies on the means of restoring peace between the two countries, he was glad of this opportunity of conferring with us on that subject, if we thought ourselves at liberty to enter into a conference with him in that character.

"We observed to his lordship that, as our business was to hear, he might consider us in what light he pleased, and communicate to us any proposition he might be authorized to make for the purpose mentioned; but that we could consider ourselves in no other character than that in which we were placed by order of Congress.

"His lordship then entered into a discourse of considerable length, which contained no explicit proposition of peace except one, namely, that the Colonies should return to their allegiance and obedience to the Government of Great Britain. The rest consisted principally of assurances that there was an exceeding good disposition in the king and his ministers to make that government easy to us, with intimations that, in case of our submission, they would cause the offensive acts of Parliament to be revised and the instructions to the governors to be reconsidered, that so, if any just causes of complaint were found in the acts, or any errors in government were perceived to have crept into the instructions, they might be amended or withdrawn.

"We gave it as our opinion to his lordship that a return to the domination of Great Britain was not now to be expected. We mentioned the repeated humble petitions of the Colonies to the king and Parliament, which had been treated with contempt and answered only by additional injuries; the unexampled patience we had shown under their tyrannical government; and that it was not till the last act of Parliament, which denounced war against us, and put us out of the king's protection, that we declared our independence; that this declaration had been called for by the people of the Colonies in general; that every colony had approved of it when made; and all now considered themselves as independent States, and were settling or had settled their governments accordingly; so that it was not in the power of Congress to agree for them that they should return to their former dependent state; that there was no doubt of their inclination to peace, and their willingness to enter into a treaty with Great Britain that might be advan-

tageous to both countries; that, though his lordship had at present no power to treat with them as independent States, he might, if there was the same good disposition in Britain, much sooner obtain fresh powers from thence than powers could be obtained by Congress from the several colonies to consent to a submission.

"His lordship then, saying that he was sorry to find that no accommodation was likely to take place, put an end to the conference.

"Upon the whole, it did not appear to your committee that his lordship's commission contained any other authority of importance than what is expressed in the act of Parliament, namely: that of granting pardons, with such exceptions as the commissioners shall think proper to make, and of declaring America, or any part of it, to be in the king's peace upon submission; for, as to the power of inquiring into the state of America, which his lordship mentioned to us, and of conferring and consulting with any persons the commissioners might think proper and representing the result of such conversation to the ministry, who, provided the Colonies would subject themselves, might, after all, or might not, at their pleasure, make any alterations in the former instructions to governors, or propose in Parliament any amendment of the acts complained of, we apprehended any expectation from the effect of such a power would have been too uncertain and precarious to be relied on by America had she still continued in her state of independence."

Ordered, That the foregoing report, and also the message from Lord Howe, as delivered by General Sullivan, and the resolution of Congress in consequence thereof, be published by the committee who brought in the foregoing report.

Of the conference between the commissioners and Lord Howe Mr. Parton (2 Life of Franklin, 145) gives the following narrative, supplied by Mr. George H. Moore, secretary of the New York Historical Society, and derived from the notes of Strachey, Howe's secretary, with manuscript memoranda by Howe:

LORD HOWE. "Long ago, gentlemen, I entertained the opinion that the differences between the mother country and her Colonies might be accommodated to the satisfaction of both. I was known in England to be a well-wisher to America, particularly to the province of Massachusetts Bay, which had endeared itself to me by the very high honor it had bestowed upon my eldest brother. I assure you, gentlemen, that I esteem that honor to my family above all things in this world. Such is my gratitude and affection to this country on that account, that I feel for America as a brother, and if America should fall, I should feel and lament it like the loss of a brother."

DR. FRANKLIN (with an easy air, a collected countenance, a bow, a smile, and all that *baiveté* which sometimes appeared in his conversation and often in his writings).† "My lord, we will use our utmost endeavors to save your lordship that mortification."

LORD HOWE (taking the joke too seriously, but suppressing his feelings). "I suppose you will endeavor to give us employment in Europe." (Dead silence on the part of the committee and countenances blank. Lord Howe recovers from the digression.) "My going out as commissioner from the king was talked of long ago, as Dr. Franklin is aware. After his departure I heard no more of it for a long time. Then an idea arose of sending over several commissioners, but to this I objected, for my plan was

† John Adams.

to go alone, with only a civil commission, and proceed straight to Philadelphia, and meet the Congress face to face. I objected even to my brother's being in the commission, from the delicacy of the employment, and from my desire to take upon myself all the reproach that might be the consequence. It was thought best, however, that General Howe, being in command of the army in America, should be joined in the commission, and that I should have the naval command; since in that case the two commissioners would control the movements of both forces. I acquiesced in this arrangement. I hoped to reach America before the army had made a movement to begin the campaign, and had no doubt that if the disposition of Congress remained the same as expressed in their last petition to the king I should be able to bring about an accommodation. That petition, I thought, was a basis to confer upon, as it contained matter which, with candor and discussion, might be wrought into a permanent system. True, the address to the people, which accompanied the petition to his majesty had injured the effect of the petition. Nevertheless, to the moment of my arrival in America I flattered myself that, taking the petition as a basis, I should be able to do some good. But since I left England you have yourselves changed your ground by the Declaration of Independency. That act, gentlemen, if it can not be got over, precludes all treaty making; for, as you are aware, I have not, nor do I expect ever to have, power to consider the Colonies in the light of independent States. You must be sensible also that I can not confer with Congress. I can not acknowledge a body which is not acknowledged by the king, whose delegate I am; for the same reason I can not confer with you gentlemen as a committee of the Congress. If you are unwilling to lay aside that distinction it will be improper for me to proceed. That, however, I trust, you will regard as an unessential form, which may for a moment lie dormant, and give me leave to consider you merely as gentlemen of great ability and influence in the country, who have met here to converse with me and try if we can devise the outline of a plan to stay the calamities of war. I beg you to consider the delicacy of my situation and the reproach I should be liable to if I should be understood by any act of mine to have treated with the Congress or acknowledged its authority. I hope you will not by any imputation commit me upon that point. Even in the present meeting I have gone rather beyond my powers."

Dr. FRANKLIN. "You may depend upon our taking care of that, my lord."

Lord HOWE. "I think the idea of a Congress may easily be thrown out at present, because if matters can be so settled that the king's government would be re-established the Congress would of course cease to exist. And if you mean really an accommodation of that kind you must see how unnecessary it is to stand upon a form which you are negotiating to give up."

Dr. FRANKLIN. "Your lordship may consider us in any view you think proper. We, on our part, are at liberty to consider ourselves in our real character. But there is really no necessity on this occasion to distinguish between members of Congress and individuals. The conversation may be held as among friends."

Mr. ADAMS. "Your lordship may consider me in what light you please. Indeed, I shall be willing to consider myself for a few moments in any character which would be agreeable to your lordship, except that of a British subject."

Lord HOWE (with gravity). "Mr. Adams is a decided character."

Mr. RUTLEDGE. "I think, with Dr. Franklin, that the conversation may be as among friends."

Lord HOWE. "On my arrival in this country, gentlemen, I thought it expedient to issue a declaration, which one of you has done me the honor to comment upon. I endeavored to couch it in such terms as would be least exceptionable, and I conclude you must have supposed I did not express in it all I had to offer. I thought, however, that I said enough to bring on a discussion which might lead the way to accommodation. But the Declaration of Independency had since rendered me more cautious of opening myself, for it is absolutely impossible for me to treat, or even confer, upon that ground, or to admit the idea in the smallest degree. If that is given up I flatter

myself there is still room for me to effect the king's purpose. His majesty's most earnest desire is to make his American subjects happy, to cause a reform in whatever affected the freedom of their legislation, and to concur with his Parliament in the redress of any real grievances. My powers are, speaking generally, to restore peace and grant pardons, to attend to complaints and representations, and to confer upon the means of a reunion upon terms honorable and advantageous to the Colonies and to Great Britain. You know, gentlemen, that we expect aid from America; our dispute seems only to be concerning the mode of obtaining."

Dr. FRANKLIN. "Aid we never refused upon requisition."

Lord HOWE. "Your money, let me assure you, is the smallest consideration. America can confer upon Great Britain more solid advantages; it is her commerce, her strength, her men, that we chiefly want."

Dr. FRANKLIN. "Ay, my lord, we have in America a pretty considerable manufactory of men."*

Lord HOWE. "It is desirable to put a stop to these ruinous extremities, as well for the sake of our country as yours. When an American falls England feels it. The question is: Is there no way of treating back of this step of independency, and thus opening the door to a full discussion? Now, gentlemen, having opened to you the general purport of my commission and the king's disposition to a permanent peace, I must stop to hear what you may choose to observe."

Dr. FRANKLIN. "I suppose your lordship has seen the resolution of the Congress which has sent us hither. It authorizes us to inquire what authority your lordship bears and what propositions you have to offer for the consideration of the Congress. That resolution contains the whole of our commission. Nevertheless, this conversation, if productive of no immediate good effect, may be of service at a future time. I will therefore say that America considered the prohibitory act as the answer to her last petition to the king. Forces have been sent out and towns have been burnt. We can not now expect happiness under the domination of Great Britain. All former attachments are obliterated. America can not return to the domination of Great Britain, and I imagine that Great Britain means to rest it upon force. The other gentlemen will doubtless deliver their sentiments."

Mr. ADAMS. "The resolution of the Congress which declared independency was not taken up upon its own authority. Congress had been instructed so to do by all the Colonies. It is not in our power, therefore, my lord, to treat otherwise than as independent States; and for my own part I avow my determination never to depart from the idea of independency."

Mr. RUTLEDGE. "I am one of the oldest members of the Congress, my lord, having been a member from the beginning. I think it is worth the consideration of Great Britain whether she would not derive greater advantages from an alliance with the Colonies as independent States than she has hitherto done. England may still enjoy a great share of the American commerce, and so procure raw materials for her manufactures. Besides, the United States can protect the West India Islands more effectually and more easily than England can, to say nothing of the Newfoundland fishery; while the products both of the West Indies and of Newfoundland would continue to enrich the merchants of England. I am glad this conversation has occurred, as it will be the occasion of opening to Great Britain the consideration of the advantages she may derive from an alliance with America before anything is settled with other foreign powers. With regard to the people consenting to come again under the English Government, it is impossible. I can answer for South Carolina. The royal government there was very oppressive. The officers of the crown claimed 'privilege' and confined people for breaches of 'privilege.' At last we took the government into

* Mr. Strachey, misunderstanding this remark, added these words, "alluding, as should seem, to their numerous army." Lord Howe, more used to Dr. Franklin's manner, corrected his secretary by penciling on the margin, "No; their increasing population."

our own hands, and the people are now settled and happy under that government. They would not, even if the Congress should desire it, return to the king's government."

Lord HOWE. "If such are your sentiments, gentlemen, I can only lament that it is not in my power to bring about the accommodation I wish. I have not authority, nor do I ever expect to have, to treat with the Colonies as States independent of the crown of Great Britain. I am sorry, gentlemen, that you have had the trouble of coming so far to so little purpose. If the Colonies will not give up the system of dependency, it is impossible for me to enter into any negotiation."

Dr. FRANKLIN. "It would take as much time for us to refer to and get answers from our constituents as it would the royal commissioners to get fresh instructions from home, which I suppose might be about three months."

Lord HOWE. "It is in vain to think of my receiving instructions to treat upon that ground."

Dr. FRANKLIN (after a pause). "Well, my lord, as America is to expect nothing but upon unconditional submission"—

Lord Howe (interrupting him). "No, Dr. Franklin; Great Britain does not require unconditional submission. I think that what I have already said proves the contrary; and I desire, gentlemen, that you will not go away with such an idea."

Dr. FRANKLIN. "As your lordship has no proposition to make to us, give me leave to ask whether if we should make propositions to Great Britain (not that I know or am authorized to say we shall) you would receive and transmit them?"

Lord HOWE. "I do not know that I could avoid receiving any papers that should be put into my hands, though I am doubtful of the propriety of transmitting them home. Still, I do not say that I would decline doing so."

The conference ended. Lord Howe politely attended the committee to the barge, which bore them in a few moments to the shore of New Jersey.

A briefer account of this conference is given in John Adams' journal, published in *3 J. Adams' Works, 72, ff;* *J. Adams to S. Adams, Sept. 17, 1776, 9 id., 443.*

Hutchinson, in his Diary, thus summarily disposes of the conference, as above detailed :

"December 9th, 1776.—An account in the papers, taken from the Philadelphia papers, of the proceedings of the Howes, through Lord Drummond, and afterwards through Sullivan, with the conference held with the Howes and Franklin, John Adams, and Rutledge, from the Congress, all printed by the Congress, causes great speculation. Lord Townshend called in a perfect rage, and hints that they make what agreement they will, but Parliament must finally approve it. I suppose it to be true that there has been such a conference, but doubt not Lord Howe will deny some part of what the Congress publish." (2 Hutchinson's Diary, 119.)

Barrow, in his Life of Earl Howe (p. 94), thus speaks of the conference :

"The Congress said they could not send any of their members to confer with the noble lord (Howe) in their private characters; but that, ever desirous of establishing peace on reasonable terms, they would send a committee of their body to ascertain if Lord Howe had any and what authority to treat with persons authorized by Congress. Dr. Franklin, Mr. Adams, and Mr. Rutledge waited accordingly on Lord Howe in Staten Island; but as these gentlemen found that the two commissioners had no other authority than that conveyed by act of Parliament, namely, that of granting pardons on submission, the conference soon ended, and the committee returned to make their report to Congress. No benefits, indeed, could be expected to the mother country from a committee composed of men whose principles were violent in the extreme, and who were known to entertain a bitter hatred to the mother country. His lordship even condescended to inform them that he was ready to discuss the means of reconciling the differences between Great Britain and America with any gentlemen of influence and importance, but they declined to act in any other capacity than that with which Congress had invested them." If Lord Howe really made such

a statement to the commissioners, this, by itself, would have barred further conference.

In the Sparks' Papers, volume 55, at Harvard College, are a series of papers relating to the attempted negotiations between England and the United States under the commissions of May, 1776, and April, 1778.

For American reports of these interviews, etc., see 1 Sparks' Franklin, 414; 5 *id.*, 97; 8 *id.*, 187. The British report is in 8 Almon's Remembrancer. See Barrow's Life of Howe, chapter 4.

Deane to Washington.*

PARIS, 15th September, 1776.

SIR: The bearer, Monsieur de la Brasse, has served as a captain in the armies of France, and has a desire to distinguish himself in the army under your command in defense of the liberties of America, and I doubt not you will receive him with pleasure. A number of gentlemen are about parting to join your standard, but M. de la Brasse will probably be one of the first that arrives. Officers passing from one service to another expect advancement, and M. de la Brasse hopes to obtain the rank of a lieutenant-colonel. I have wrote to the honorable Congress on the subject, and am confident he will exert himself to give them and you satisfaction of his abilities and zeal for the service.

I have the honor to be, with the greatest esteem, your excellency's most obedient and most humble servant.

SILAS DEANE.

Deane to Committee of Secret Correspondence.*

PARIS, September 15, 1778 [should be 1776].

GENTLEMEN: This will be delivered you by Monsieur de la Brasse, a French gentleman, and a captain in the French service, but out of employ since a late general reform of the army. He has the recommendation of the officers of the regiment in which he served, and Monsieur Dubourg, who on all occasions has the interest of the Colonies much at heart, tells me he has had the best character of him. For myself, Monsieur de la Brasse has shown such a desire to serve the United Colonies in going without any certainty of a commission, that I have engaged to be at the expense of his passage, and have full confidence he will serve you with fidelity. Every officer leaving this country naturally expects some advancement of rank, and Mr. de la Brasse has proposed that of a lieutenant-colonel, or an equivalent. As the army is now so large, I doubt not you can procure him that or such other as you shall judge his acquirements and capacity deserve. His ardor to serve the cause of America is evidently sincere and unaffected, and I

* Franklin MSS., Dept. of State.

am ever ready to forward persons so disposed, and to assure them of a favorable reception by the honorable Congress.

I am, with the greatest esteem, gentlemen, your most obedient servant,
SILAS DEANE.

Beaumarchais to Committee of Secret Correspondence.*

SEPTEMBER 15, 1776.

GENTLEMEN: In writing this letter I imagine you are informed by my first of my active zeal for your interest. I therefore suppose you will do me the honor to acknowledge me among your friends and faithful servants. These titles I adopt with pleasure, because I think myself worthy of them. In addition to the offers of what I possess, I shall presume to make another of those reflections which I think may be useful to you. Living in Europe, and being better able than you to unfold the secret springs which give motion to states in this part of the world, and, above all, persuaded that you have only shaken off the yoke of one of the people that compose it to become a more certain friend to the rest, I will venture to reason with you upon your present situation. Whatever haughty confidence, gentlemen, your enemies may affect, your Declaration of Independence has thrown them into consternation; flattering themselves no more to regain you by adroitness, they begin to fear that they will not be able to subdue you by force. Their finances shattered, their commerce lessened, their force exhausted, plainly indicate that the present great effort is the last thing they will be able to make against you, and if your courage, gentlemen, is only sufficiently fortunate to bear the weight of the present campaign, it is almost impossible that they will dare to undertake another. But, while you are fighting in America to free yourselves from their yoke, the events of Europe concur to hasten the moment of your delivery. The blunder Portugal has lately fallen into, of shutting their ports with still more imprudence than haughtiness, seems to be an act of Heaven in your favor of which you can not too soon avail yourselves. From the resentment which Spain has long borne for Portugal, if I had the honor of presiding in your committee, gentlemen, I would not hesitate to persuade you immediately to declare war against Portugal, and without delay to send a fleet to the Brazils. This unexpected and bold measure would be productive of many good effects. The first would be certainly to interest Spain in your success and perhaps engaging her to make a like declaration against Portugal. From that moment, united with Spain in resentment, you become in some sort her allies; for the enemies of our enemies are more than half our friends. Don't entertain a doubt but that power will then open her American ports to your armed vessels and

* House Rep. No. 220, Twentieth Congress, first session, p. 32. See introduction, §§ 56 ff; index, title Beaumarchais.

send a private order to receive in them your privateers and the prizes they may make upon the Portuguese. And if your declaration is fortunate enough to draw Spain in openly, as I scarce have a doubt but it will, so great a diversion will soon oblige the English to divide their forces and fly to the assistance of Portugal, unless they choose to lose also this sort of a colony at the same time that you are openly renouncing their authority, which is not probable. And what immense advantage would not this division of their forces give to a collection of yours; and your force and success will be continually increasing, gentlemen, if Spain declares itself openly. For the assistance of vessels, troops, and money, which France cannot refuse to that power when she enters into a war, according to the spirit and letter of the family compact, will render it necessary for England to supply Portugal with more considerable support. Then all the reproaches of England cannot prevent France from opening her ports to you without reserve and permitting you to draw from thence, by way of trade, plentiful supplies of every sort. "What do you require of us?" the minister of France would say to the English ambassador. "The king, our master, furnishes assistance to Spain much less from a desire of making war than from faithfully observing his treaties. If he had any other motive than a regard to his engagements, what should hinder him at present from making use of so fine an opportunity to make war upon yourselves? And if he does not make it upon his rivals and almost his enemies, ought he to provoke any of your people to declare it against him? See what has happened to Portugal; do you wish that, in shutting our ports to the Americans, with whom we have no dispute, we should suggest to them our inclination of attacking our American possessions, or of seducing and detaching from us our colonies by a hope of associating with them? Do you wish they should desolate our island by the multitude of their cruisers, against which even the whole force of England at this time can do nothing? To oblige the English shall we fall into the absurdity of making war against the Americans on the one hand, whilst on the other, in assisting Spain, we shall be forced perhaps to act in concert with the same Americans against the Portuguese?" This, gentlemen, is what our minister would say, and this appears to me unanswerable; and who knows how far things may be carried in Europe from interests so different, so remote, and at the same time so confounded together? Now, all this may, and probably will, be the fruit of your declaring war against Portugal. I have taken this second opportunity to transmit this advice to you. It seemed to strike your deputy, whose good sense immediately perceives whatever has force or propriety in it. I doubt not but he will write to the same purpose. It is therefore my opinion, gentlemen, that you can not too soon weigh the importance of this idea and come to some resolution thereupon worthy of your bravery. Lay hold of the encouragements which fortune offers and which my respectful attachment for you points out.

I have the honor to be, etc.,

Deane to Robert Morris.*

BORDEAUX, *September 17, 1776.*

DEAR SIR: I shall send you in October clothing for twenty thousand men, thirty thousand fusils, one hundred tons of powder, two hundred brass cannon, twenty-four brass mortars, with shells, shot, lead, etc., in proportion. I am to advise you that if in future you will give commissions to seize Portuguese ships you may depend on the friendship and alliance of Spain. Let me urge this measure. Much may be got, nothing can be lost by it. Increase, at all events, your navy. I will procure, if commissioned, any quantity of sail cloth and cordage. A general war is undoubtedly at hand in Europe, and consequently America will be safe if you baffle the arts and arms of the two Howes through the summer. Every one here is in your favor.

Adieu. I will write you again next week.

SILAS DEANE.

Arthur Lee to Dumas.†

LONDON, *September 23d, 1776.*

DEAR SIR: My absence from town till now prevented my answering your two last favors of September 3.

By our latest and best accounts from America, the die is now cast, and we may every day expect to hear of a decisive action at New York; decisive I mean as to the fate of General Howe and New York, but not of America, which depends very little upon the event of New York being taken or saved.

There is a public torpor here, which, without being superstitious, one may regard as a visitation from Heaven. The people in general think the Declaration of Independence as a thing of course, and do not seem to feel themselves at all interested in the vast consequences which that event must inevitably draw after it. The ministry have by certain manœuvres contrived to keep up the demand for and price of manufactures; and while trade and manufactures apparently prosper, the people are so deaf, that wisdom may cry out in the streets and not be heard. But the course of the seasons is not more fixed than it is certain that these ministerial arts must be temporary in their operation and fatal in their issue; because, the more men are flattered the more desperate they are when the calamity comes upon them. Already the West India Islands begin to cry out, as you will have seen in the address from the island of Barbadoes. The great number of captures lately made of West India ships by the Americans have already had very visible effects upon the Royal Exchange. Holland, taking the alarm which the least movement on the part of France would produce, must shake our stocks to the

* 1 Sparks' Rev. Dip. Corr., 30.

† 5 Sparks' Dip. Rev. Corr., 209.

foundation, and give an equal shock to a deluded prince and a deluded people.

The characters you desire me to touch upon are such as seldom occur in the same period. Lord Sandwich has been noted through a long life for everything in word and deed directly opposite to honesty and virtue.* With moderate abilities and little real application, he maintains an appearance of both by impositions and professions which, at a time so averse to inquiry as the present, pass for facts. Lord George Germain,† though cradled in England, has all the principles of a Scotchman; subtle, proud, tyrannical and false. In consequence of his patronizing the Scots, they have always been his panegyrists and his advocates, and as they are a people indefatigable in all interested pursuits, they have procured him a character for ability which he very little deserves. Dissimulation and craft in worldly occurrences too often pass for real wisdom; and in that sense Lord George is a wise man. Such a man could not long pass unnoticed and unpatronized by a court which searches with lynean eyes for the basest hearts, and is actuated by Scotch principles and Scotch counsels.‡ Lord Suffolk is a peer of sullen pride and arbitrary principles. He listed in the public cause with Mr. Wedderburn,§ under the banner of George Grenville; and while his life gave the hope of success in getting preferment, they were the loudest in opposition; but immediately upon his death they made their terms, and have been ever since the most devoted tools of the court. Lord Suffolk recommends himself very much to the king by an indefatigable attention to the little detail business of his department and an obsequiousness that knows no bounds. Lord Rochford is by birth a tory, and is linked with Lord Mansfield; but his fears have made him withdraw himself upon an ample pension, for he is persuaded that France will soon strike a blow which will endanger the heads of those who conduct these measures.

I have been apprised by Hortalez that the business for which I recommended him to you is to be transacted through France, which is the reason of your not seeing him.||

I do not conceive you need be under any alarm about intercepted letters, as the ministry have too much upon their thoughts and too many more immediately dangerous and known opponents at home to suffer them to look abroad for victims. Their success must be certain and decisive before they will venture to attack the friends of America in Europe and provoke retaliation. I flatter myself with being as much within the eye of their enmity as any man can be; but I think that the enmity of bad men is the most desirable testimony of virtuous merit.

Adieu,

ARTHUR LEE.

* See introduction, §§ 21, 23, 27.

† See introduction, § 27.

‡ As to Scotch, see introduction, § 148.

§ As to Wedderburn, see note to Franklin's narrative of March 22, 1775.

|| See introduction, § 61.

Deane to Robert Morris.*

PARIS, September 30, 1776.

SIR: Yours of the 5th of June came to hand on the 25th instant. Mr. Delap will inform you of the state of remittances in his hands. Messrs. Cliffords & Teysett, and Mr. Hodgson, of Amsterdam, have received next to nothing; about two hundred pounds by the last accounts; from which you will perceive that not one-third of the sum proposed has come to hand, and even out of that my private expenses and those for promoting the other parts of my mission must take something let me be ever so prudent and cautious.

To solicit arms, clothing, and tents for thirty thousand men, two hundred brass cannon, mortars, and other stores in proportion, and to be destitute of one shilling of ready money, exclusive of the fund of forty thousand pounds originally designed for other affairs (which you know by the protests in London was my case), has left me in a critical situation. To let slip such an opportunity for want of ready money would be unpardonable, and yet that was taking out of a fund before deficient. I hope, however, to execute both, though not in the season I could have wished. I have, as you see, had but a few days since the receiving of yours in which I have discoursed with some of the persons to whom I had before proposed such a scheme, and think it will take well; but, as men of property will be engaged in it, the remittances should be made very punctual.

The insurance, I am sensible, had better be in Europe, but it can not be had at present unless in Holland, where I am told there are often disputes with the underwriters. On the whole it must be done in America. I can, I believe, engage for one hundred thousand pounds sterling during the winter. I shall write to you further in a few days.

You have mentioned to me a loan. I choose to speak of this in a letter of business particularly by itself, which I will endeavor to do by a young gentlemen going on Sunday, to which opportunity I also refer what I have further to say on this subject. Pray forward the trifles I am sending to my little deserted family as soon as received.

Tobacco is rising very fast, being now seven stivers in Holland. The scheme of the Farmers-General here is very very artful; they grow anxious. They held high terms on my first application. I turned off, and they are now applying to me, as are also some people farther northward.

God bless and prosper America is the prayer of every one here, to which I say amen and amen.

I am, etc.,

SILAS DEANE.

* 1 Sparks' Dip. Rev. Corr. 31.

Franklin to Dumas.*

PHILADELPHIA, October 1st, 1776.

SIR : I have just time to acknowledge the receipt of your two packets, with the pamphlets inclosed, the contents of which are very satisfactory. You will hear from me more fully in a little time.

With great esteem, I am, sir, etc.,

B. FRANKLIN.

P. S.—We have a great force brought against us here, but continue firm.

Franklin, Morris et al. Memorandum of October 1, 1776 †

Mr. Thomas Story,‡ who had been sent by the committee of secret correspondence, December 13, 1775, to France, Holland, and England, reported verbally as follows :

"On my leaving London, Arthur Lee, esq., requested me to inform the committee of correspondence that he had several conferences with the French ambassador, who had communicated the same to the French court; that, in consequence thereof, the Duke de Vergennes had sent a gentleman to Arthur Lee, who informed him that the French court could not think of entering into a war with England, but that they would assist America, by sending from Holland this fall £200,000 sterling worth of arms and ammunition to St. Eustatius, Martinique, or Cape François; that application was to be made to the governors or commandants of those places, by inquiring for Monsieur Hortalez, and that, on persons properly authorized applying, the above articles would be delivered to them."

PHILADELPHIA, October 1, 1776.

The above intelligence was communicated to the subscribers, being the only two members of the committee of secret correspondence now in this city, and on our considering the nature and importance of it, we agree in opinion that it is our indispensable duty to keep it a secret, even from Congress, for the following reasons :

(1) Should it get to the ears of our enemies at New York they would undoubtedly take measures to intercept the supplies, and thereby deprive us not only of those succors, but others expected by the same route.

* 5 Sparks' Dip. Rev. Corr., 213.

† House Rep. No. 220, Twentieth Congress, first session, p. 19; 1 Sparks' Dip. Rev. Corr., 387, omitting the last two paragraphs.

‡ See index, title Story.

(2) As the court of France have taken measures to negotiate this loan and succor in the most cautious and most secret manner, should we divulge it immediately we may not only lose the present benefit, but also render that court cautious of any further connection with such unguarded people, and prevent their granting other loans and assistance that we stand in need of and have directed Mr. Deane to ask of them, for it appears from all our intelligence they are not disposed to enter into an immediate war with Britain, though disposed to support us in our contest with them; we therefore think it our duty to cultivate their favorable disposition towards us, draw from them all the support we can, and in the end their private aid must assist us to establish peace or inevitably draw them in as parties to the war.

(3) We find, by fatal experience, the Congress consists of too many members to keep secrets, as none could be more strongly enjoined than the present embassy to France; notwithstanding which Mr. Morris was this day asked by Mr. Reese Meredith whether Dr. Franklin and others were really going ambassadors to France, which plainly proves that this committee ought to keep this secret, if secrecy is required.

(4) We are of opinion that it is unnecessary to inform Congress of this intelligence at present, because Mr. Morris belongs to all the committees that can properly be employed in receiving and importing the expected supplies from Martinico, and will influence the necessary measures for that purpose; indeed, we have already authorized William Bingham, esq., to apply at Martinico and St. Eustatia for what comes there, and remit part by the armed sloop *Independence*, Captain Young, promising to send others for the rest. Mr. Morris will apply to the marine committee to send other armed vessels after her, and also to Cape François (without communicating this advice), in consequence of private intelligence, lately received, that arms, ammunition, and clothing can now be procured at those places. But, should any unexpected misfortune befall the States of America, so as to depress the spirits of Congress, it is our opinion that, on any event of that kind, Mr. Morris (if Dr. Franklin should be absent) should communicate this important matter to Congress, otherwise keep it until part of or the whole supplies arrive, unless other events happen to render the communication of it more proper than it appears to be at this time.

B. FRANKLIN.

ROBERT MORRIS.

Communicated to me this 11th October, 1776, and I concur heartily in the measure.

RICHARD HENRY LEE.

Communicated to me this 10th day of October, 1776, and I do also sincerely approve of the measure.

WM. HOOPER.*

*As to congressional management of foreign affairs, see introduction, §§ 103 ff.

Deane to Committee of Secret Correspondence.*

PARIS, October 1, 1776.

GENTLEMEN: Mr. Morris' letters of the 4th and 5th of June last,† on politics and business, I received with the duplicates of my commission and instructions on the 25th ultimo. I stand corrected, and confine myself to politics.

Your letter found me in a most critical situation. The ministry had become extremely uneasy at your absolute silence; and the bold assertions of the British ambassador that you were accommodating matters, aided by the black and villainous artifices of one or two of our own countrymen here, had brought them to apprehend not only a settlement between the two countries, but the most serious consequences to their West India islands, should we unite again with Great Britain. For me, alas! I had nothing left but to make the most positive assertions that no accommodation would or could take place, and to pledge myself in the strongest possible manner that thus would turn out the event; yet so strong were their apprehensions, that an order issued to suspend furnishing me with stores. Think what I must feel upon such an occasion. Our friend M. Beaumarchais exerted himself, and in a day or two obtained the orders to be countermanded, and everything is again running on favorably. For Heaven's sake, if you mean to have any connection with this kingdom, be more assiduous in getting your letters here. I know not where the blame lies, but it must lie heavy somewhere, when vessels are suffered to sail from Philadelphia and other ports quite down to the middle of August without a single line. This circumstance was urged against my assertions, and was near proving a mortal stab to my whole proceedings. [Dr. Williamson of Pennsylvania, and Colonel Mercer of Virginia, have been in France. The latter I believe is still here. The former has returned with his budget for London. Under pretense of being an American this man is doing the Colonies prodigious mischief, and the situation of affairs here at this critical moment renders it as dangerous for the ministry to take him up as it is to let him alone. Let his name be known in America, and every one be put on their guard how they correspond with him.]‡ One Mr. Hopkins, of Maryland, in this service, and who is in the rank

* 1 Sparks' Dip. Rev. Corr., 32, with omissions and verbal changes.

† These letters are missing.—SPARKS.

‡ The passage in brackets is omitted in Sparks' edition. The suspicions expressed of Williamson were ill founded. He was born in Pennsylvania in 1735; became, after graduating in the college in Philadelphia, one of its professors; went abroad in 1764 to study medicine; was in London in 1773, when, being called before the privy council, he resolutely defended the colonial position. In 1777 he settled in Edenton, N. C., served as a surgeon in the army, was elected to Congress several times, and was a member of the convention that framed the federal constitution. In the correspondence of the department is a letter from him to Congress, dated April 11, 1777, offering his services to the United States as surgeon, and a subsequent letter demanding inquiry as to Deane's charges.

of brigadier-general, appeared desirous of going to America, but on my not paying him the regard he vainly thought himself entitled to he formed the dark design of defeating at one stroke my whole prospects as to supplies. At this critical period he pretended to be in my secrets, and roundly asserted that I had solely in view a reconciliation with Great Britain, immediately after which the stores now furnishing would be used against France. This, coming from a professed enemy of Great Britain, from a native of America, from one who professed himself a zealous friend to the Colonies, you must suppose had weight. However thunderstruck I was, as well as my friend M. Beaumarchais, at this unexpected and last effort of treachery, we exerted ourselves, and truth prevailed. The mischief has recoiled on himself, and, having fallen into disgrace here, he will strive to get to America, where he threatens, I hear, to do much mischief to me. However, he will not probably be permitted to depart, unless he slips off very privately. Should that be the case, or should he write letters, you have now a clue to unravel him and his proceedings.

It would be too tedious to recount what I have met with in this way. It has confined me not only to Paris, but to my chambers and pen for some weeks past in drawing up by way of memorial the true state of the Colonies, their true interests, the system of policy they must unquestionably pursue, and that the highest interests of France are inseparably connected therewith. I do not mention a single difficulty with one complaining thought for myself; my all is devoted, and I am happy in being so far successful and that the machinations of my enemies, or rather the enemies of my country, have given me finally an opportunity of experiencing the friendship and protection of great and valuable men; but it is necessary that you should know as much as possible of my situation. The stores are collecting, and I hope will be embarked by the middle of this month; if later, I shall incline to send them by Martinique, on account of the season. It is consistent with a political letter to urge the remittance of the fourteen thousand hogsheads of tobacco wrote for formerly in part payment of these stores; if you make it twenty, the public will be the gainers, as the article is rising fast; in Holland, seven stivers 10 lb. and must be in proportion here. You are desired by no means to forget Bermuda; if you should, Great Britain will seize it this winter, or France on the first rupture, having been made sensible of its importance by the officious zeal of that same Mr. H. As your navy is increasing, will you commission me to send you duck for twenty or thirty sail? I can procure it for you to the northward on very good terms, and you have on hand the produce wanted to pay for it with. Have you granted commissions against the Portuguese? All the friends to America in Europe call loudly for such a measure.

Would you have universal commerce, commission some person to visit every kingdom on the continent that can hold any commerce with

America. Among them by no means forget Prussia. Grain will be in demand in this kingdom and in the south of Europe. Permit me again to urge an increase of the navy. Great Britain is calling in her Mediterranean passes, to expose us to the Algerines. I propose applying to this court on that subject. Dr. Bancroft, of London, merits much of the Colonies. As I shall now have frequent opportunities of writing by officers and others going out, I will not add more than that one Mr. Carmichael has now been with me some time, recommended by Mr. A. Lee, of London. I owe much to him for his assistance in my dispatches and for his friendly and seasonable advice upon all occasions. He is of Maryland, and is here for his health, and proposes going soon to America. I expect to hear from London to-morrow by Dr. B., who is on his way here.

I am, with my most sincere respect and esteem for the secret committee and most profound regard to the Congress, your most obedient and very humble servant,

SILAS DEANE.

P. S.—An agent from Barbadoes is arrived in London to represent their distresses; another from Bermuda, with a declaration to the ministry of the necessity of their being supplied with provisions from the Colonies, and saying that, if not permitted, they must ask the protection of Congress.

I have to urge your sending to me either a general power for the purpose, or a number of blank commissions for vessels of war. It is an object of the last importance, for in this time of peace between the nations of Europe I can be acquainted with the time of every vessel's sailing either from England or Portugal, and by dispatching little vessels armed from hence, and to appearance property of the subjects of the United States of America, to seize them while unsuspecting on this coast, and to stand directly for America with them, great reprisals may be made; and persons of the first property have already solicited me on the occasion; indeed, they have such an opinion of my power that they have offered to engage in such an adventure if I would authorize them with my name; but this might as yet be rather dangerous. It is certainly, however, a very practicable and safe plan to arm a ship here as if for the coast of Africa or the West Indies, wait until some ship of value is sailing from England or Portugal, slip out at once and carry them on to America. When arrived, the armed vessel increases your navy and the prize supplies the country.

[Since writing the foregoing I waited on Mr. Beaumarchais, and while in conversation on our affairs Mr. Hopkins came in. He was surprised at seeing me, and evidently fluttered at the apprehensions that Monsr. Bm. had been informing me of his informations to the ministry; and on my charging him with it and expostulating, he boldly maintained his information to be true, and that his zeal for and fidelity to this kingdom would not permit him to keep it a secret, and had the confi-

dence to charge me with saying that I meant a reconciliation, etc. He however previously acknowledged there had been a coldness and indifference between us for more than three weeks, during which he complained that I would not let him speak with me alone; I was, he said, so very reserved towards him. Yet his zeal had prompted him to make this information only two days before this, and immediately on his resenting a reception I gave him at my lodgings. These and many other circumstances convinced me on what grounds and with what real intention it was made, to which I added that I could not condescend to confront Mr. Hopkins as on a level, but if one doubt remained in the minds of any one of the ministry, my correspondence since in Frauee, which I had minutely copied, as well as my most secret conversation to my most confidential friends, might be examined into, and I would fall if a single sentence ever escaped me tending in the least to what Mr. Hopkins asserted. He then persevered in his assertions and labored to make the dispute personal. He finally declared his resolution of going to America, and gave hints what he would do there; to which I replied he was at his liberty, but justice to my country would oblige me to transmit a true narration of his conduct and the bold attempt he had made to intercept the sending out of supplies, which could be exceeded by nothing but his inconsistency in pretending to offer his service to a country which he had laboured to injure so materially.

We parted, and nothing in his power will be left unattempted against me pretendedly, but against the Colonies ultimately; however, I am under no great apprehensions. Such a man when known ceases to be formidable, but I can by no means avoid cautioning you against him, should he escape into America, as one of those restless and unquiet spirits ever dangerous in civil society, but more so in military operations; inveterate as he is, I can manage him in such a government as this better than you can in America. I say if he escapes, for at present he is closely watched in all his motions, but he may write letters, and under pretense of friendship for America, cause some uneasiness here. Should he persevere in his machinations he would soon wind himself up; indeed, I am apprehensive he will, but am determined never more to put myself, or any affair of mine, in his way. The ministry are satisfied with my conduct in the affair, and I believe mean to use the present occasion for dismissing him, which as he may be apprehensive of, he will push the harder to get away for America.]*

It is of importance, as I have mentioned in my former letters, to have some one deputed and empowered to treat with the King of Prussia. I am acquainted with his agent here, and have already through him received some queries and proposals respecting American commerce, to which I am preparing a reply. I have also an acquaintance with the agent of the Grand Duke of Tuscany, who proposes fixing a commerce between the United States and Leghorn, but has not as yet given

* The passage in brackets is omitted by Sparks.

me his particular thoughts. France and Spain are naturally our allies; the Italian States want our flour and some other articles; Prussia, ever pursuing her own interests, needs but be informed of some facts relative to America's increasing commerce to favor us; Holland will pursue its system, now fixed, of never quarreling with any one on any occasion whatever. In this view is seen at once the power we ought to apply to and gain a good acquaintance with. Let me again urge you on the subject of tobacco. Receive also from me one hint further. It is this: Should you apportion a certain tract of the western lands, to be divided at the close of this war among the officers and soldiers serving in it and make a generous allotment, it would, I think, have a good effect in America, as the poorest soldiers would then be fighting literally for a freehold; and in Europe it would operate beyond any pecuniary offers. I have no time to enlarge on the thought, but may take it up hereafter; if I do not, it is an obvious one, and, if capable of execution, you can manage it to the best advantage.

I have no doubt but I can obtain a loan for the Colonies if empowered, and on very favorable terms. I have already sounded on the subject, and will be more explicit hereafter, both as to my proposals, for I can go no further, and the answers I may receive.

S. D.

Committee of Secret Correspondence to Deane.*

PHILADELPHIA, October 1, 1776.

DEAR SIR: Mr. Morris has communicated to us the substance of your letters to him down to the 23d June, when you were near setting out for Paris. We hope your reception there has been equal to your expectations and our wishes; indeed, we have no reason to doubt it, considering the countenance we have met with amongst the French islands and their seaports in Europe. It would be very agreeable and useful to hear from you just now, in order to form certain opinions of the designs of the French court respecting us and our contest, especially as we learn by various ways they are fitting out a considerable squadron at Brest and Toulon. What a noble stroke they might now strike at New York! Twenty sail of the line would take the whole fleet there, consisting of between four and five hundred sail of men-of-war and transports, store-ships, and prizes. Was that piece of business once effected by a French fleet, we would engage to give them a very good account of General Howe's army in a short time; but, alas! we fear the court of France will let slip the glorious opportunity, and go to war by halves, as we have done; we say go to war, because we are of opinion they must take part in the war sooner or later, and the longer they are about it the worse terms will they come in upon.

* MSS. Dept. of State; 2 Force's Archives (5th series), 819.

We doubt not you will obtain from England a regular account of the proceedings of Lord Howe and his brother; and we suppose the general's military operations will be ushered into the world with an éclat beyond their true merits; or at least the conduct of our people and their present situation will be misrepresented as ten times worse than the reality. We shall therefore state these things to you as they really are. The fleet under Lord Howe, you know, is vastly superior to anything we have in the navy way; consequently wherever ships can move they must command; therefore it was long foreseen that we could not hold either Long Island or New York; nevertheless, as our fortifications are chiefly built with axes and spades, the time and trouble in raising them was not misspent, for it must have been owing to those works that they remained several weeks at Staten Island without making any attempt. The first they did make was on Long Island, where they landed twenty thousand men or upwards. At this time we had our army, consisting of not more than twenty thousand effective men, stationed at King's Bridge, New York, and on Long Island; six or seven thousand was the whole of our force on the latter, and about three thousand of them, commanded by General Sullivan and Lord Stirling, turned out of the lines, took possession of some heights, and intended to annoy the enemy in their approaches. They, however, outgeneraled us, and got a body of five thousand men between our people and the lines, so that we were surrounded, and of course came off second best; but they purchased this victory dear, and many such would be their ruin. Sullivan, Lord Stirling, and many other officers fell into their hands. These, with privates, amounted to from eight hundred to one thousand men in killed, wounded, and taken prisoners. They lost a greater number in killed and wounded; but we took but few prisoners, as you may suppose.

General Howe then laid a trap, in which he fully expected to have caught every man we had on that island; but General Washington saw and frustrated his design by an unexpected and well conducted retreat across the sound. This retreat is spoken of on both sides as a master stroke.

The enemy immediately marched up a large body of men opposite to Hell Gate. Our people threw up intrenchments on York Island to oppose their landing; but, shame to say it, on the day of trial two brigades behaved infamously, and could not be stopped by the entreaties or threats of the general, who came up in the midst of their flight. It had been previously determined to abandon New York, and most of our cannon and military stores were removed from thence in time. The enemy took possession of the city and encamped on the Plains of Harlem. Our side occupy the Heights of Harlem, King's Bridge, and Mount Washington, where they have made lines as strong as can be. In this situation they had a skirmish between about one thousand to twelve hundred men on each side, in which we gained greatly the advantage, beat

them off the field, and took three field pieces from them, having killed and wounded a considerable number of their men.

Since then the city of New York has been on fire, and it is said one-fifth or one-sixth of it is reduced to ashes. The enemy charged some stragglers of our people that happened to be in New York with having set the city on fire designedly, and took that occasion, as we are told, to exercise some inhuman cruelties on those poor wretches that were in their power. They will no doubt endeavor to throw the odium of such a measure on us, but in this they will fail, for General Washington, previous to the evacuation of that city, whilst it was in his power to do as he pleased with it, desired to know the sense of Congress respecting the destruction of the city, as many officers had given it as their opinion it would be an advisable measure; but Congress resolved that it should be evacuated and left unhurt, as they had no doubt of being able to take it back at a future day. This will convince all the world we had no desire to burn towns or destroy cities, but that we left such meritorious works to grace the history of our enemies.

Upon the whole our army near New York are not sufficiently strong to cope with General Howe in the open field; they have therefore intrenched themselves and act on the defensive. They want better arms, better tents, and more clothing than they now have; nor is it in our power at this time to supply them. Consequently we can not recruit or increase that army under these discouragements. Men can not cheerfully enter a service where they have the prospect of facing a powerful enemy and encountering the inclemency of a hard cold winter without covering at the same time. These are discouraging circumstances, but we must encounter them with double diligence, and we still have hopes to procure clothing, partly by importation, partly by capture, and chiefly by purchasing all that can be found on the continent.

If France means to befriend us, or wishes us well, they should send us succors in good muskets, blankets, cloths, coatings, and proper stuff for tents, also in ammunition; but not like the Venetians, wait until we are beat, and then send assistance. We are willing to pay for them, and shall be able soon as we can safely export our tobacco and other valuable produce.

Our northern army is strong, well intrenched in an advantageous post at Ticonderoga, which can only be taken from them by storm, as it can not be approached in a regular manner on account of the situation. We are also formidable on the lakes, in the galleys, boats, and gondolas, under command of your friend Arnold, and that army is better provided than the other, so that we do not seem to apprehend any danger in that quarter at present.

The Southern States are for the present in peace and quietness, except some interruptions from the Indians, who were instigated thereto by Mr. Stewart, the superintendent, and other agents from our

enemies. However, they have not any cause to rejoice in those machinations as yet, for the Carolinians and Virginians have attacked and beat them several times, destroyed several of their towns and corn fields and made them repent sorely what they have done. So that we have little to apprehend on account of Indians.

The only source of uneasiness amongst us arises from the number of tories we find in every State. They are more numerous than formerly and speak more openly; but tories are now of various kinds and various principles. Some are so from real attachment to Britain; some from interested views; many, very many, from fear of the British force; some because they are dissatisfied with the general measures of Congress; more because they disapprove of the men in power and the measures in their respective States. But these different passions, views, and expectations are so combined in their consequences that the parties affected by them either withhold their assistance or oppose our operations; and if America falls, it will be owing to such divisions more than the force of our enemies. However, there is much to be done before America can be lost, and if France will but join us in time there is no danger but America will soon be established an independent empire, and France, drawing from her the principal part of those sources of wealth and power that formerly flowed into Great Britain, will immediately become the greatest power in Europe.

We have given you as just a picture of our present situation as we can draw in the compass of a letter, in order that you may be well informed; but you will only impart such circumstances as you may think prudent.

Our frigates are fine vessels, but we meet difficulty in procuring guns and anchors. Our people are but young in casting the former, and we want coals to make the latter. However, these difficulties we shall surmount, and are bent on building some line-of-battle ships immediately. The success in privateering and encouragement given by the merchants will inevitably bring seamen amongst us. This, with the measure that will be adopted to encourage the breeding of seamen amongst ourselves, will in a few years make us respectable on the ocean. Surely France can not be so blind to her own interests as to neglect this glorious opportunity of destroying the power and humbling the pride of her natural and our declared enemy.

We make no doubt but you have been made acquainted with the negotiations of Monsieur Hortalez, and in consequence thereof we conclude you will be at no loss to obtain the supplies of goods wanted for a particular department, notwithstanding we know that the greatest part of those remittances that were intended you have been intercepted by one means or other. It is unfortunate and much to be regretted that those remittances have had such ill fate, but we hope you have obtained the goods on credit, and you may depend that remittances will be continued until all your engagements are discharged.

Clothing and tents are so much wanted for our armies that we entreat you to apply immediately to the court of France for a loan of money sufficient to dispatch immediately considerable quantities of stuff fit for tents, and of coarse cloths, coatings, stockings, and such other comfortable necessaries for an army as you can readily judge will be proper. You will get these goods either sent out direct in French vessels or to their islands, where we can send for them; but if you could prevail on the court of France to send out men-of-war with them it would be most acceptable. Whatever engagements you make for payment of the cost of such clothing and necessaries the Congress will order sufficient remittances to fulfill the same; but in our circumstances it requires time to accomplish them. You'll observe the secret committee have given orders to Mr. Thomas Morris* to procure sundry articles and dispatch them immediately; and if you succeed in the negotiation of a loan from the court for this purpose, you may employ him or act in conjunction with him to procure and dispatch those articles by them and such others as you shall judge necessary, and the remittances to be made him will serve to refund the loan. Should the court decline this matter, perhaps the Farmers-General may be induced to advance the money or stake their credit for the sake of securing the tobacco the secret committee will remit to Europe. These things we throw out as hints, and shall only further observe that you can not render your injured country more essential service at this time than by procuring these supplies immediately.

We are told that our vigilant enemies have demanded of the courts of France, Spain, and Portugal to deliver up the American ships in their ports and to forbid their having any future intercourse with them. The court of Portugal has complied so far as to order our ships away on ten days' notice. That France and Spain gave evasive answers. This is private uncertain intelligence; but we think you will do well to intimate to the ministers of those nations that first impressions are lasting; that the time has been when they stood much in need of American supplies; that the time may come again; that, although we are styled rebels by Britain, yet our friendship may hereafter be of the utmost importance to those powers particularly that possess American colonies, and that injuries now done us will not be easily effaced. These hints of argument you'll offer as the suggestions of your own mind, and endeavor to influence them by interest or fear from taking any active part against us. On the contrary, as it is evidently their interest to encourage our commerce, so we hope you'll be able to influence them by one means or other to protect and license it in the utmost extent.

We shall not take up more of your time at present,

But remain, sir, your humble servants.

*As to the unfortunate character of this arrangement, see introduction, § 183, index.
title T. Morris.

Committee of Secret Correspondence to Deane.*

PHILADELPHIA, October 2, 1776.

SIR: We have this day received from the honorable the Congress of Delegates of the United States of America the important papers which accompany this letter, being first a treaty of commerce and alliance between the court of France and these States; second, instructions to their commissioners relative to the said treaty; and, lastly, a commission, whereby you will find that Dr. Franklin, the Hon. Thomas Jefferson, and yourself are appointed commissioners for negotiating the said treaty at the court of France. These papers speak for themselves, and need no strictures or remarks from us, neither is it our business to make any.

You will observe that in case of the absence or disability of any one or two of the commissioners the other has full power to act. We therefore think it proper to inform you that Dr. Franklin and Mr. Jefferson will take passage with all speed; but it is necessary that their appointment on this business remain a profound secret, and we do not choose even to trust this paper with their route. Suffice it, therefore, that you expect them soon after this reaches your hands, and if you don't see some evident advantage will arise by communicating this commission to the French ministry immediately, we give it as our opinion you had best suspend it until the arrival of one or both these gentlemen, because you will then benefit of each other's advice and abilities, and we apprehend their arrival will give additional importance to the embassy. But should you be of opinion that delay will be in the least degree injurious to our country or its cause, you must by all means use your own discretion in this matter, wherein we are not authorized to instruct or advise; we only offer you our thoughts on the subject. Should you think proper to disclose this commission to the ministers of France, enjoin the strictest secrecy respecting the names, or rather insist that it be not made known to any persons but those whose office and employments entitle them to the communication, that any other are joined with you in it, because if that circumstance reaches England before their arrival it will evidently endanger their persons.

The Congress have ordered the secret committee to lodge ten thousand pounds sterling in France, subject to the orders of the commissioners, for their support, etc., and you may depend that remittances will be made for that purpose with all possible diligence. We can also inform you that you may expect instructions for forming treaties with other nations; consequently, you will cultivate a good understanding with all the foreign ministers.

We have committed these important despatches to the care of Mr. William Hodge, jr.,† who we hope will in due time have the pleasure

* MSS. Dept. of State; 2 Force's Archives, 5th series, 839.

† As to Hodge's services and history, see index, title Hodge.

to deliver them in person. He knows nothing more of their contents than that they are important; and in case of capture, his orders are to sink them in the sea. This young gentleman's character, family, and alertness in the public service all entitle him to your notice. He is also charged with some business from the secret committee, wherein your countenance and assistance may be useful. You will no doubt extend it to him, and also engage Mr. Morris' exertions therein.

You will please to advance Mr. Hodge the value of one hundred and fifty pounds sterling for his expenses, and transmit us his receipt for the same.

We most fervently pray for a successful negotiation, and are, with the utmost attention and regard, dear sir, your affectionate friends, and obedient humble servants.

P. S.—Mr. Hodge has some instructions from the secret committee which he will lay before you, and if the negotiation of Mons. Hortalez respecting arms and ammunition has been conducted with success, it will be needless for Mr. Hodge to make contracts for those articles. You will know how that matter is, and direct Mr. Hodge accordingly, and if you should think it of more consequence to send him immediately back here with despatches than to employ him in the business that committee have proposed, he will obey your orders, and Mr. Morris may do the other.

Deane to Dumas.*

PARIS, October 3d, 1776.

DEAR SIR: Since my last, in which I mentioned the King of Prussia, I have obtained a method of sounding that monarch's sentiments more directly through another channel, which voluntarily offering I have accepted, and therefore waive writing on the subject for the present anything, save that you may undoubtedly serve the United States of America most essentially in this affair in a few weeks from this. The attention to my business here, which is not merely political but partly commercial, the critical situation of affairs at this court, and the anxious suspense for the events at New York and Canada, have actually fixed me here; and the having received no intelligence for some time past has well-nigh distracted me. I have, however, favorable prospects and the most confirmed hopes of effecting my views in Europe. I am too much engaged to say more in this, and will be more particular in my next.

I am, etc.,

SILAS DEANE.

* 5 Sparks' Dip. Rev. Corr., 213.

Jay to Morris.*

FISHKILLS, October 6, 1776.

DEAR SIR: The inclosed is a part of the late invisible parts of Mr. Deane's letters. You will perceive some blanks in it. Mr. D., it seems, did not write with his usual care and accuracy. There are many blots in one of the letters, and in one or two instances the lines cross and run into one another. Little material is however illegible. I am happy to find our affairs wear so pleasing an aspect in France.

This most certainly will not be the last campaign, and in my opinion Lord Howe's operations can not be so successful and decisive as greatly to lessen the ideas which foreign nations have conceived of our importance. I am rather inclined to think that our declaring independence in the face of so powerful a fleet and army will impress them with an opinion of our strength and spirit, and when they are informed how little of our country is in the enemy's possession, they will unite in declaring us invincible by the arms of Britain.

If the works carrying on by the general for obstructing the navigation of Hudson's River at Mount Washington prove effectual, Lord Howe must rest content with the city of New York for this campaign. For altho it is not impossible for him to land a large body of troops on the shores of the sound, and thereby divide our forces, yet no great matters can by that means be achieved. Our communication with the army by the sound is already cut off by the ships of war, and any strong post they might take on the shore would not much injure our communication by land. But should they, on the contrary, be able suddenly to penetrate the North River with a few ships of war and a number of transports, they would effectually destroy all communication between the upper country and the army by land and water; for before the shores would be put in such a state of defense as to prevent their landing with success, they might possess themselves of posts and passes by nature so strong as to be long tenable against a much superior force.

Should an event of this sort take place, we should be in a disagreeable situation. Flour and lumber could not then be carried to the army but by a circuitous route thro abominable roads, and it is a matter of some doubt whether our utmost exertions to supply them would be successful. Had I been vested with absolute power in this State, I have often said and still think that I would last spring have desolated all Long Island, Staten Island, the city and county of New York, and all that part of the county of Westchester which lies below the mountains. I would then have stationed the main body of the army in the mountains on the east, and eight or ten thousand men in the Highlands on the west, side of the river. I would have directed the river at Fort Montgomery, which is nearly at the southern extremity of the mountains, to be so shallowed as to afford only depth sufficient for an Albany

* Morris papers, MSS.

sloop, and all the southern passes and defiles in the mountains to be strongly fortified. Nor do I think the shallowing the river a romantic scheme. Rocky mountains rise immediately from its shores; the breadth is not very great; tho the depth is. But what can not eight or ten thousand men well worked effect? According to this plan of defense this State would be absolutely impregnable against all the world on the sea side, and would have nothing to fear except from the way of the lakes. Should the enemy gain the river even below the mountains, I think I foresee that a retreat will become necessary, and I can not forbear wishing that a desire of saving a few acres may not lead us into difficulties. Such is the situation of this State at present, and so various, and I may say successful, have been the arts of Governor Tryon and his adherents to spread the seeds of disaffection among us, that I can not at present obtain permission to return to Congress. Our convention continues unanimous in all its measures, and to do them justice are diligent as well as zealous in the cause.

As long as your whimsical constituents shall permit the gentleman to whom I am writing to remain among the number of those honest and able patriots in Congress in whose hands I thiuk the interest of America very safe, the Congress will possess too great a stock of abilities to perceive the absence of my little mite. It gives me pleasure, however, to reflect that your remarks on this subject, however ill founded, would have been dictated only by that friendly partiality which you have shown me, and which in this instance has been permitted to impose on your judgment. I wish the secret committee would communicate no other intelligence to the Congress at large than what may be necessary to promote the common weal, not gratify the curiosity of individuals. I hint this, because a copy of letter from A. L. to that committee has lately been sent by a member of Congress to a gentlemen of his acquaintance who is not a member of Congress. I came by this intelligence in such a way as to speak with certainty, for I have seen the copy, but at the same time in such a way as not to be able with propriety to mention names. You will be pleased, therefore, to make no other use of this information than to induce the greater caution in the committee. For as to binding certain members in the House to secrecy by oaths or otherwise would be just as absurd as to swear Lee (no matter which of them) to look or feel like Ned Rutledge.

Had Mr. Deane mentioned to me his having conversed with you relative to the mode of writing I communicated to him I should most certainly have spoken to you on the subject, and will when we meet give you the same information respecting it that I did to him.

I am, dear, sir, with respect and esteem, your most obedient servant,

JOHN JAY.*

* See introduction, §§ 155 *ff.* As to British atrocities, see introduction, § 22.

Deane to Dumas.*

PARIS, October 6, 1776.

SIR: Yours of the 1st instant I received, and observe by the contents that Mr. Lee is returned to London. I have not seen Mr. Ellis. In answer to your queries: First, a reconciliation between Great Britain and the United States of America is improbable ever to take place; it is absolutely impossible until after the sitting of Parliament. Secondly, Admiral Howe joined his brother early in August, and sent on shore to General Washington a letter, which was returned unopened, as no title was given to General Washington; a second was sent, and met the same fate. The Congress justified the general in his conduct, and ordered him to receive no letters except they were directed to him with his proper title. Lord Howe sent to the governors of several colonies his proclamation, which, by the army and people of New York, was treated with contempt and ridicule.

Thus matters continued until the 20th of August, when General Howe had collected his whole force and was preparing to attack New York. On the other side, all the eminences and advantageous posts near the city were secured and fortified, and the Americans strongly intrenched on them, the city of New York fortified with batteries next to the water, and all the principal streets with barriers across them, and at the same time the houses filled with combustibles ready to be set on fire should the city be found tenable. The two men-of-war which had passed up the river above the city were returned terribly damaged by attacking a battery. This, in a word, was the state of affairs in New York on the 20th of August, from which important news may be expected every hour.

Thirdly, I know what Dr. Franklin's sentiments were when I left America, and that nothing but a miracle could convert him to wish for an accommodation on other terms than the independence of the Colonies. Depend upon it, my good friend, the ministry of Great Britain labor incessantly to propagate stories of an accommodation, for it is well known that they despair of reducing the Colonies by arms this campaign, at the close of which the national debt will amount to nearly £150,000,000 sterling, part of which will remain unfunded, and where are their resources for supporting the next campaign? He that can discover the philosopher's stone can answer.

To your fourth query you will excuse my answering more than that your conjecture is not far out of the way. My letter will inform you why I must still delay sending what I promised you the 14th ultimo. In the mean time, sir, you may add to indigo and rice, tobacco, logwood, redwood, sugar, coffee, cotton, and other West India produce, which pass through the hands of the North Americans in payment for their supplies to the West India Islands, which can not exist without their

* 5 Sparks' Dip. Rev. Corr., 213; 2 Force's Archives, 5th series, 916.

produce. Also, in course of trade, spermaceti oil and salt fish may be supplied to Prussia and Germany as cheap, or cheaper, from the Colonies than from Holland and Germany. The United Colonies exported to Europe, chiefly indeed to Great Britain, fish oil, whalebone, spermaceti, furs, and peltry of every kind, masts, spars, and timber, pot and pearl ashes, flaxseed, beef, pork, butter and cheese, horses and oxen; to the West Indies, chiefly wheat flour, bread, rye, Indian corn, lumber, tobacco, iron, naval stores, beeswax, rice, and indigo, etc., to the amount of more than £4,000,000 sterling annually, and for some years past, and received the pay in European manufactures; and when I remind you that the inhabitants of that country double their number every twenty years, and inform you that this exportation has increased for the last century in the same ratio, you will be able to form some idea of this commerce, and of how much importance it is to Europe. I hope, by the coming post, to send you some favorable news from America, and I may not add to this without missing the post.

I am, with the most sincere esteem, dear sir, your most obedient servant,

SILAS DEANE.

Deane to the Committee of Secret Correspondence.*

PARIS, October 8, 1776.

GENTLEMEN: Your Declaration of the Fourth of July last has given this court, as well as several others in Europe, reason to expect you would in form announce your independency to them and ask their friendship; but a three months' silence on that subject appears to them mysterious, and the more so as you declared for foreign alliances. This silence has given me the most inexpressible anxiety; has more than once come near frustrating my whole endeavors, on which subject I refer you to mine of the first instant. Employ must be found for the forces of Great Britain out of the United States of North America. The Caribs in St. Vincent, if set agoing, may be supplied through Martinique with stores. The mountain negroes in Jamaica may employ a great number of their forces. This is not employing slaves, which, however, the example of our enemy authorizes. Should there arise troubles in these two islands, which a very little money would effect, the consequence would be that Great Britain, which can by no means think of giving them up, would be so far from being able to increase her force on the Continent, that she must withdraw a large part to defend her islands. I find every one here acquainted with Bermuda is in my sentiments, and by the officiousness of the treacherous Hopkins the ministry here have got it by the end. This makes me the more solicitous that the islands should be fortified this winter, if practicable.

Tobacco in Holland is at the enormous price of seven stivers, and

* 1 Sparks' Dip. Rev. Corr., 36, with verbal changes and omissions, substantially as in 2 Force's Archives, 5th series, 937.

will soon be as dear in France and Germany, and etc. I have promised that you will send out twenty thousand hogsheads this winter, in payment for the articles wanted here. Let me advise you to ship the whole to Bordeaux, after which it may be shipped in French bottoms to any other port; the price will pay the convoy; therefore I would recommend the vessels in which it should be shipped to be armed, and that each ship shall sail under convoy of one of your frigates, which may also be ballasted with it. This will be safer than coming in a fleet. On their arrival, Messrs. Delap, whose zeal and fidelity in our service are great, will be directed by me, or in my absence by Mousieur B., or ostensibly by Messrs. Hortalez & Co., where to apply the money.* Eight or ten of your frigates, thus collected at Bordeaux, with a proper number of riflemen as marines, where they might have leisure to refit and procure supplies, would strike early next season a terrible blow to the British commerce in Europe and obtain noble indemnity. The appearance of American cruisers in those seas has amazed the British merchants, and insurance will now be on the war establishment. This will give the rival nations a great superiority in commerce, of which they can not be insensible; and as our vessels of war will be protected in the ports of France and Spain, the whole of the British commerce will be exposed.† I hope to have a liberty for the disposal of prizes

* See index, title Beaumarchais.

† Between May, 1776, and January, 1778, seven hundred and thirty-three British vessels were reported to the House of Lords as having been taken by American privateers. For other letters as to American privateers, see Deane to Congress, October 17, 1776; Deane to committee, November 27, 1776; Commissioners to Congress, January 17, 1777; Commissioners to committee, February 6, 11, 1777, May 26, 1777, September 8, 1777; Carmichael to Bingham, June 23, 1777; and see index, title Privateers.

"It is true that the coasts of Great Britain and Ireland were insulted by the American privateers in a manner which our hardiest enemies had never ventured on in our most arduous contentions with foreigners. Thus were the inmost and most domestic recesses of our trade rendered insecure; and a convoy for the protection of the linen ships from Dublin and Newry was now for the first time seen. The Thames also presented the unusual and melancholy spectacle of numbers of foreign ships, particularly French, taking in cargoes of English commodities for various parts of Europe, the property of our own merchants, who were thus seduced to seek that protection under the colors of other nations which the British flag used to afford to all the world.

"Against this must be set that His Majesty's ships took a prodigious number of American vessels, both on their own coasts and in the West Indies. The perseverance with which the Americans supplied the objects for those captures, by continually building new ships and seeking new adventures, seemed almost incredible. At a time when the whole of a trade carried on under such discouraging circumstances seemed to be extinguished, the gazettes teemed again with the account of new captures; which, though for the greater part they were not of much value singly, yet furnished at times some very rich prizes and in the aggregate were of a vast amount. They probably much overbalanced the losses which we sustained from their privateers. But it was to a thinking mind melancholy that we had a computation of that kind to make." (London Annual Register, 1778, 36.)

By 1780, however, the British blockade of American ports was so far strengthened as greatly to diminish the number of American privateers afloat.

here, but dare not engage for that. The last season the whole coast of England, Scotland, and Ireland has been and still remains unguarded; three or four frigates arriving, as they certainly might, unexpectedly, would be sufficient to pillage Port Glasgow or other western towns. The very alarm which this would occasion might have the most surprising and important effects, and in this method it might be effected with the utmost certainty if entered upon early next spring; but, should that be laid aside, the having five or six more of your stoutest ships in these ports, where you may every day receive intelligence of what is about to sail from England, would put it in our power to make great réprésals.

I wrote for blank commissions or a power to grant commissions to ships of war. Pray forward them, as here are many persons wishing for an opportunity of using them in this way. [They will take a cargo in an armed vessel for America, and if they meet with anything in their way will take it with them.]* The granting commissions against Portugal would insure the friendship of Spain. Grain will bear a great price in this kingdom and the south of Europe; and I have made application to the minister of marine to supply masts and spars from America for the French navy. Pray inform me how and on what terms the British navy formerly used to be supplied from New England. I am fully of opinion that a war must break out soon and become general in Europe. I need say no more on the situation I am in for want of further instructions. I live in hopes, but should I be much longer disappointed, the affairs I am upon, as well as my credit, must suffer, if not be absolutely ruined. My most respectful compliments to the Congress.

I am, gentlemen, your most obedient very humble servant.

SILAS DEANE.

Deane to Dumas.^t

PARIS, October 9th, 1776.

SIR: I wrote you by last post. This comes by Mr. Carmichael,^f a gentleman of Maryland, in America, who has for some time lived with and assisted me in my business. You can have the fullest confidence in him, and as he knows I place the most absolute in you, it would be trifling to swell a letter with news or observations, of both of which he can *viva voce* satisfy you. He will communicate to you his business in Holland, and I am sure you will assist him to the utmost of your power. He can tell you what an anxious and laborious life I lead here; and, what adds to my misfortune, how impossible it is in the present critical situation of affairs for me to quit this post for a single day; much more,

* Omitted in Sparks' edition.

^f 5 Sparks' Dip. Rev. Corr., 215; 2 Force's Archives, 5th series, 951.

^t See introduction, § 171.

it is as yet impossible for me to leave long enough to visit you in Holland, which having long promised to myself and anticipated with pleasure, the disappointment greatly chagrins me. To have so kind and hospitable, and at the same time so judicious and safe, a friend inviting me to what must at once yield me the purest pleasure and the most solid advantage, viz, an interview, and not to be able to profit by it at once, is a misfortune I feel most sensibly.

Mr. Carmichael can give you the best intelligence of our present affairs in America, and his observations and inferences will be from the best grounds and made with precision and judgment. My most grateful and respectful acknowledgments to your lady, whom I yet may have the honor of waiting on in the course of a month.

I have the honor to be, etc.,

SILAS DEANE.

Deane to Dumas.*

PARIS, October 13th, 1776.

SIR: Before the receipt of this you will have seen Mr. Carmichael, to whom I refer you on many subjects. Yours of the 8th I received since his departure, and have only to ask of you to procure the proper testimonials of this very extraordinary and cruel proceeding at H—— respecting Mr. Shoemaker, a family of which name I knew in Philadelphia. These testimonials will be a proper ground to go upon in demanding satisfaction, which I do not think, however, had best be asked until the independence of the Colonies has been formally announced; and proper powers for this step have been delayed strangely, or perhaps interrupted. Your zeal in this cause reflects honor on your private as well as public sentiments of justice and rectitude, and I will transmit to the honorable Congress of the United States in my first letters a copy of your memoir. I am still without intelligence of any kind from America, save that on the 20th of August a battle was hourly expected at New York. No prospect of reconciliation. The British forces in Canada are not likely to effect anything this season, and consequently all hopes in England rest on the event of a single action at New York, which the public are made to believe will prove decisive. And so it may, if the fate of the day should be for us, and the enemy have no retreat or resources in America; but by no means decisive if it incline the other way. I trouble you with the inclosed for Mr. Carmichael.

I am, with great respect, etc.,

SILAS DEANE.

* 5 Sparks' Dip. Rev. Corr., 216; 2 Force's Archives, 5th series, 1020.

Articles for hiring armed vessels and merchandise, agreed to between Messrs. de Monthieu and Roderique Hortalez & Co. and Mr. Silas Deane.

[Translation.]*

We, the subscribers, John Joseph de Monthieu and Roderique Hortalez & Co., are agreed with Mr. Silas Deane, agent of the United Colonies, upon the subsequent arrangements:

That I, de Monthieu, do engage to furnish, on account of the thirteen United Colonies of North America, a certain number of vessels to carry arms and merchandise to the burden of sixteen hundred tons, or as many vessels as are deemed sufficient to transport to some harbor of North America belonging to the thirteen United Colonies all the ammunition and appurtenances, agreeable to the estimate signed and left in my possession, and which we suppose would require the above-mentioned quantity of vessels to carry sixteen hundred tons burden, which are to be paid for at the rate of two hundred livres the ton, and that I will hold said vessels at the disposal of said Messrs. Hortalez & Co., ready to sail at the ports of Havre, Nantes, and Marseilles, viz., the vessels which are to carry the articles and passengers mentioned in the aforementioned list and are to depart from Havre, as well as those that are to go from Nantes, to be ready in the course of November next, and the others in the course of December following, on condition that one-half of the aforementioned freight of two hundred livres per ton, both for the voyage to America and back to France, laden equally on account of the Congress of the thirteen United Colonies and Messrs. Hortalez & Co. aforesaid, who are responsible for them, shall be advanced and paid immediately in money, bills of exchange, or other good merchandise or effects, and the other half the said Messrs. Hortalez & Co. do agree to furnish me with in proportion as the vessels are fitting out in the same money or other effects as above; over and above this, they are to pay me for the passage of each officer not belonging to the ship's crew the sum of five hundred and fifty livres tournois, and for every soldier or servant two hundred and fifty livres, and for every sailor who goes as passenger one hundred and fifty livres. It is expressly covenanted and agreed between us that all risks of the sea, either in said vessels being chased, run on shore, or taken, shall be on account of the Congress of the United Colonies, and shall be paid agreeably to the estimation which may be made of each of these vessels agreeably to the bills of sale of each, which I promise to deliver to Messrs. Hortalez & Co. before the departure of any of the said vessels from any of the ports of France mentioned above.

Finally, it is agreed that if the Americans detain these vessels longer than two months in their ports without shipping on board them the returns they are to carry to France, all demurrage, wages, or expenses on them from the day of their arrival to that of their departure, these

* 1 Sparks' Dip. Rev. Corr., 38; see introduction, §§ 56 ff.

two months excepted, shall be at their charge and paid by them, or by Messrs. Hortalez & Co. in our own name, as answerable for the Congress of the United Colonies. We accept the above conditions as far as they respect us, and promise faithfully to fulfill them, and in consequence we have signed this instrument of writing one to the other at Paris, 15th October, 1776.

MONTHIEU.

RODERIQUE HORTALEZ & Co.

SILAS DEANE,

*Agent for the United Colonies of North America.**

Proceedings in Congress, October 16, 1776.[†]

ADDITIONAL INSTRUCTIONS TO BENJAMIN FRANKLIN, SILAS DEANE, AND ARTHUR LEE,
COMMISSIONERS FROM THE UNITED STATES OF AMERICA TO THE KING OF FRANCE.

Whilst you are negotiating the affair you are charged with at the court of France, you will have opportunities of conversing frequently with the ministers and agents of other European princes and states residing there.

You shall endeavor, when you find occasion fit and convenient, to obtain from them a recognition of our independency and sovereignty, and to conclude treaties of peace, amity, and commerce between their princes or states and us; provided, that the same be not inconsistent with the treaty you shall make with his most Christian majesty, that they do not oblige us to become a party in any war which may happen in consequence thereof, and that the immunities, exemptions, privileges, protection, defense, and advantages, or the contrary, thereby stipulated, be equal and reciprocal. If that can not be effected, you shall to the utmost of your power prevent their taking part with Great Britain in the war which his Britannie majesty prosecutes against us, or entering into offensive alliances with that king and protest and present remonstrances against the same, desiring the interposition, mediation, and good offices on our behalf of his most Christian majesty the king of France, and of any other princes or states whose dispositions are not hostile towards us.

In case overtures be made to you by the ministers or agents of any European princes or states for commercial treaties between them and us, you may conclude such treaties accordingly.

By order of Congress.

JOHN HANCOCK,
President.

* As to this agreement, see index, title Beaumarchais.

† MSS. Dept. of State.

Deane to Bingham.*

PARIS, October 17, 1776.

DEAR SIR: Since receiving yours of the 4th and 5th of August last I have written you repeatedly, and have no doubt of your receipt of my letters, to which I refer you. You are in the neighborhood of St. Vincent's, and I learn that the Caribs are not contented with their masters, and being an artful as well as revengeful people, would undoubtedly take this opportunity of throwing off a yoke which nothing but a superior force can keep on them. My request is that you would inquire into the state of that island by proper emissaries, and if the Caribs are disposed to revolt, encourage them and promise them aid of arms and ammunition. This must tear from Great Britain an island which they value next to Jamaica, and to which, indeed, they have no title but what rests on violence and cruelty. At any rate, they will oblige Great Britain to withdraw part of her forces from the continent. If anything can be effected there, inform me instantly, and I will order to your care such a quantity of stores as you shall think necessary.

The inclosed letter I desire you to break the seal of and make as many copies as there are vessels going northward, by which some one must arrive. A war, I think, may be depended upon, but keep your intelligence of every kind secret, save to those of the honorable secret committee.

You will send also a copy of this, by which the committee will see the request I have made to you, and the reason of their receiving several duplicates in your handwriting. I wish you to forward the inclosed to Mr. Tucker, of Bermuda, and write me by every vessel to Bordeaux or Nantes.

I am, with great esteem, etc.,

SILAS DEANE.

Deane to Committee of Secret Correspondence.

PARIS, October 17th, 1776.

GENTLEMEN: I once more put pen to paper, not to attempt what is absolutely beyond the power of language to paint, my distressed situation here, totally destitute of intelligence or instructions from you since I left America, except Mr. Morris' letters of the 4th and 5th of June last, covering duplicates of my first instructions. Nor will I complain for myself, but must plainly inform you that the cause of the

* MSS. Dept. of State; 1 Sparks' Dip. Rev. Corr., 42.

Mr. William Bingham was an American merchant residing in Martinique. He was an agent for Congress during a large portion of the war, and was the medium of communication with France, by way of the French West India Islands.—SPARKS.

† MSS. Dept. of State; given substantially in 2 Force's Archives, 5th series, 1090; 1 Sparks' Dip. Rev. Corr., 39, with omissions and verbal changes.

United Colonies or United States has for some time suffered at this court for want of positive orders to me or some other person.

It has not suffered here only, but at several other courts, that are not only willing, but even desirous, of assisting America. Common complaisance, say they, though they want none of our assistance, requires that they should announce to us *in form* their being independent States, that we may know how to treat their subjects and their property in our dominions. Every excuse which my barren invention could suggest has been made, and I have presented memoir after memoir on the situation of American affairs and their importance to this kingdom and to some others. My representations, as well verbally as written, have been favorably received, and all the attention paid them I could have wished, but the *sine qua non* is wanting—a power to treat from the United Independent States of America. How, say they, is it possible that all your intelligence and instructions should be intercepted, when we daily have advice of American vessels arriving in different ports in Europe? It is true I have effected what nothing but the real desire this court has of giving aid could have brought about; but, at the same time, it has been a critical and delicate affair, and has required all attention to save appearances, and more than once have I been on the brink of losing all, from suspicions that you were not in earnest in making applications here. I will only add, that a vessel with a commission from the Congress has been detained at Bilboa as a pirate, and complaint against it carried to the court of Madrid.* I have been applied to for assistance, and though I am in hopes nothing will be determined against us, yet I confess I tremble to think how important a question is by this step agitated, without any one empowered to appear in a proper character and defend. Could I present your Declaration of Independence, and show my commission subsequently, empowering me to appear in your behalf, all might be concluded at once, and a most important point gained—no less than that of obtaining a free reception and defense or protection of our ships of war in these ports [a determination which must eventually ruin the commerce of Great Britain].†

I have wrote heretofore for twenty thousand hogsheads of tobacco. I now repeat my desire, and for a large quantity of rice. [Tobacco is eight and one-half sterling in London, and rice fifty sterling.]† The very profits on a large quantity of these articles will go far towards an annual expense. The stores concerning which I have repeatedly written to you are now shipping, and will be with you, I trust, in January, as will the officers coming with them. I refer to your serious consideration the inclosed hints respecting a naval force in these seas, also the inclosed propositions, which were by accident thrown in my way. If you shall judge them of any consequence, you will lay them before Congress; if not, postage will be all the expense extra. I believe they

* See *infra*, Deane to committee, Nov. 27, 1776.

† Omitted in Sparks' edition.

have been seen by other persons, and therefore I held it my duty to send them to you. My most profound respect and highest esteem ever attend the Congress, and particularly the secret committee.

I am, gentlemen, etc.,

SILAS DEANE.

P. S.—Dr. Bancroft* has been so kind as to pay me a second visit, and that most seasonably, as my former assistant, Mr. Carmichael, has gone to Amsterdam, and thence northward, on a particular affair of very great importance.† The vessel referred to is commanded by Captain Lee, of Newburyport, who, on his passage, took five prizes of value, and sent them back, but brought on two of the captains and some of the men prisoners to Bilboa, where the captains entered their protest, and complained against Captain Lee as a pirate, on which his vessel is detained, and his commission etc., sent up to Madrid. This instantly brings on a question as to the legality of the commissions; if determined legal, a most important point is gained; if the reverse, the consequences will be very bad, and the only ground on which the determination can go against the captain is that the United States of America, or their Congress, are not known in Europe as being independent States otherwise than by common fame in newspapers, etc., on which a serious resolution can not be grounded. The best, therefore, that the captain expects will be to get the matter delayed, which is very hard on the brave captain and his honest owners, and will be a bad precedent for others to venture into the European seas. I have done everything in my power, and am in hopes, from the strong assurances given me, that all will be settled to my satisfaction in this affair, but can not but feel on the occasion as well for the captain as for the public. I have been told repeatedly I was too anxious, and advised “*rester sans inquiétude*;” but I view this as a capital affair in its consequences, and, though I wish, I can not take advice.

Warlike preparations are daily making in this kingdom and in Spain; in the latter, immediately against the Portuguese, but will most probably, in its consequences, involve other powers. I need not urge the importance of immediate remittances towards paying for the large quantity of stores I have engaged for, and depend this winter will not be suffered to slip away unimproved.

I have the honor to be, etc.,

SILAS DEANE.

* See introduction, § 196.

† See introduction, § 171.

Deane to the President of Congress.*

PARIS, 17th October, 1776.

SIR: The bearer, Monsieur M. Martin de la Balme, has long served with reputation in the armies of France as a captain of cavalry, and is now advanced to the rank of a lieutenant-colonel; he has made military discipline his study, and has wrote on the subject to good acceptation; he now generously offers his services to the United States of North America, and asks of me, what I most cheerfully grant, a letter to you and his passage, confident he may be of very great service, if not in the general army, yet in those colonies which are raising and disciplining cavalry. I have only to add that he is in good esteem here, and is well recommended, to which I am persuaded he will do justice.†

I have the honor to be, etc.,

SILAS DEANE.

Proceedings in Congress, October 22, 1776.‡

Resolved, That the commissioners going to the court of France be directed to procure from that court, at the expense of these United States, either by purchase or loan, eight line-of-battle ships of seventy-four and sixty-four guns, well manned and fitted in every respect for service; that as these ships may be useful in proportion to the quickness with which they reach North America, the commissioners be directed to expedite this negotiation with all possible diligence.

JOHN HANCOCK,
President.

Carmichael to Dumas.§

AMSTERDAM, October 22d, 1776.

SIR: I inclose a letter which I expected to deliver ere this in person. I arrived here last Friday, and had so many inquiries to make to gratify Mr. Deane's curiosity, that it has not been in my power to attend to you so soon as I could wish. For fear that I should not be able to leave this to-morrow, to do myself the honor of waiting upon you, I have sent this letter. When I come to The Hague, I shall put up at the Hotel de Turenne, where you will do me much pleasure to leave your address particularly. The knowledge I have had of you for many months, by Mr. Deane and others, makes me regret every moment that

* 1 Sparks' Dip. Rev. Corr., 42.

† Martin de la Balme was, on May 26, 1777, brevetted as lieutenant-colonel of cavalry, and on July 18 was made inspector of cavalry, but resigned on October 12.

‡ 1 Arthur Lee's Life, 283.

§ 5 Sparks' Dip. Rev. Corr., 217.

delays me here, and denies me the pleasure of assuring you in person how much I am, what every true American is, your very humble servant,

WILLIAM CARMICHAEL.*

Robert Morris, for Secret Committee, to Silas Deane.†

PHILADELPHIA, October 23d, 1776.

SIR: We have already wrote you two letters of this date by different conveyances; the present we send by the *Andrew Doria*, Isaiah Robinson, esq., commander, for St. Eustatia, from whence it will be sent to Wm. Bingham, esq., at Martinico, and by him be transmitted to you in a French bottom.

You will find inclosed two resolves of Congress, passed yesterday. From one of them you will learn that Thomas Jefferson, esq., declined going to France, and that Arthur Lee, esq., of London, is elected to serve as a commissioner in his stead. You will therefore contrive to give him immediate notice to repair to you, and then deliver him that resolve and the inclosed letter. By the other resolve you will see that Congress direct you to procure eight line-of-battle ships, either by hire or purchase. We hope you may meet immediate success in this application, and that you may be able to influence the courts of France and Spain to send a large fleet at their own expense to act in concert with these ships, which should be expedited immediately, with directions to the commander to make the first port he can with safety in these States, preferring this if winds and weather favor him, and he must also have instructions to subject himself totally, after his arrival, to the order of Congress.

We are, sir, etc.

A copy, with the papers, by the *Lexington*.

R. M.

Morris and Franklin, for Committee of Secret Correspondence, to A. Lee.‡

PHILADELPHIA, October 23d, 1776.

SIR: By this conveyance we transmit to Silas Deane, esq., a resolve of the honorable the Continental Congress of Delegates from the thirteen United States of America, whereby you are appointed one of their commissioners for negotiating a treaty of alliance, amity, and commerce with the court of France, and also for negotiating treaties

* See index, title Carmichael.

† MSS. Dept. of State.

‡ MSS. Dept. of State. 2 Force's Archives, 5th series, 1199; 1 Spark's Dip. Rev. Corr., 389.

with other nations, agreeable to certain plans and instructions of Congress, which we have transmitted by various conveyances to Mr. Deane, another of the commissioners.* We flatter ourselves, from the assurances of your friends here, that you will cheerfully undertake this important business, and that our country will greatly benefit of those abilities and that attachment you have already manifested in sundry important services, which at a proper period shall be made known to those you would wish.†

ROBERT MORRIS.
B. FRANKLIN.

Robert Morris et al., Committee of Secret Correspondence, to the Commissioners in Paris.‡

PHILADELPHIA, October 24, 1776.

GENTLEMEN: The Congress having committed to our charge and management their ship-of-war called the *Reprisal*, commanded by Lambert Wickes, esq.,§ carrying sixteen six-pounders and about one hundred and twenty men, we have allotted her to carry Dr. Franklin to France, and directed Captain Wickes to proceed to the Port of Nantes, where the doctor will land and from thence proceed to Paris; and he will either carry with him or send forward this letter by express, as to him may then appear best. The *Reprisal* is a fast-sailing ship, and Captain Wickes has already done honor in action to the American flag. We have therefore ordered him to land at Nantes some indigo he has on board, take in refreshments, stores, provisions, or other necessaries he may want, and immediately to proceed on a cruise against our enemies, and we think he will not be long before he meets with a sufficient number of prizes. We have directed him to send them into such of the French ports as are most convenient, addressing them at Dunkirk to Messrs. P. Stival & Son; at Hayre-de-Grace, to Mr. Andrew Limozien; at Bordeaux, to Messrs. Samuel and J. t. Delap; at Nantes, to Messrs. Pliarne, Penet & Co.; and at any other ports in France to such persons as you may appoint to receive them. When he finishes his cruise he will call in at Nantes, Bordeaux, or Brest for your orders and

* In 1 A. Lee's Life, 59, the following passage is introduced at this point:

"We have requested him to give you immediate notice to join him, and on your meeting deliver this letter and lay before you all the papers and instructions; also to deliver you the resolve whereby you are appointed."

† In 1 A. Lee's Life, *ut supra*, is here the following:

"This committee will think it proper to address all their dispatches unto Mr. Deane until they have certain advice that his colleagues have joined him, but the communication of them will be the same as if addressed to the whole."

"We remain, with much regard and esteem, sir, your most obedient and humble servants."

‡ MSS. Dept. of State; 2 Force's Archives, 5th series, 1211.

§ See index, Wickes

advices, which we beg you will have ready for him, lodged at those places.

In consequence of this plan for the *Reprisal's* cruise, we desire you to make immediate application to the court of France to grant the protection of their ports to American men-of-war and their prizes. Show them that British men-of-war, under sanction of an act of Parliament, are daily capturing American ships and cargoes; show them the resolves of Congress for making reprisals on British and West India property, and that our continental men-of-war and numerous private ships of war are most successfully employed in executing these resolutions of the Congress; show them the justice and equity of this proceeding, and surely they can not, they will not, refuse the protection of their ports to American ships of war, privateers, and prizes. If your application on this head is crowned with success, try any other which it is their interest to grant; that is, to obtain leave to make sale of those prizes and their cargoes, or any part thereof that may be suitable for that country. If you succeed in this also, you must appoint some person to act as judge of the admiralty, who should give the bond prescribed for those judges, to determine in all cases agreeable to the rules and regulations of Congress, and for this purpose we will report to Congress some resolves vesting you with authority to make such appointment, and authorizing such judge to condemn without a jury, as required here. If these resolves are agreed to by Congress, they shall be immediately transmitted to you. If they are not, that plan must drop, and the prizes must all proceed for America for condemnation. You can in the mean time consult the ministry whether they will permit such courts in France and in the French West India islands.

If protection is granted to our cruisers and their prizes, you will immediately procure proper orders to be sent to the officers of all their ports on this subject, and write yourselves to those houses we have named at the several ports that the prizes are to remain for Captain Wickes's further orders. Also lodge such orders with proper persons at the other ports in France. On the contrary, if the prizes are not to be protected in their ports, then give immediate notice to all these houses, and proper persons at the other ports, to furnish the prizes that Captain Wickes, of the *Reprisal*, may send into their port, with any necessaries the prize-master may judge they stand in need of, and to order him to make the best of his way with the prize to the first safe port he can make in the United States of America. Lodge advice also for Captain Wickes at Bordeaux, Brest, and Nantes, whether his prizes are to be protected in port or not, and whether or not any sales will be permitted. If they are protected, he can take his own time to collect and bring them home under his own convoy. If any sale is permitted, he can sell all perishable commodities and vessels unfit for so long a voyage as to this coast. If no protection for prizes, they will come away by your orders, and need not stay for his. And if they deny protection to our

cruisers themselves, he will only remain in port for your advices, and to obtain such supplies as may be necessary.

We have recommended Captain Wickes to take on board his own ship as many valuable commodities as he can, if successful, but should he be unsuccessful in cruising, then Messrs. Pliarne, Penet & Co. may put some goods on board when he is coming away.

You will readily see the tendency these measures have; and as their consequences may be very important, so we hope your attention to them will be immediate and constant whilst necessary.

Captain Wickes is a worthy man, and as such we recommend him; and should he have the misfortune to be taken, or meet with any other misfortune, we hope you will adopt measures for his relief. He will treat prisoners with humanity, and we are convinced his conduct will do honor to his appointment.

We have the honor to be, gentlemen, your most obedient and most humble servants.*

Robert Morris et al., Committee of Secret Correspondence, to Dumas.^t

PHILADELPHIA, October 24th, 1776.

SIR: Our worthy friend Dr. Franklin, being indefatigable in the service of his country, and few men so qualified to be useful to the community of which he is a member, you will not be surprised that the unanimous voice of the Congress of Delegates from the United States of America has called upon him to visit the court of France in the character of one of their commissioners for negotiating a treaty of alliance, etc., with that nation. He is the bearer of this letter, and on his arrival will forward it. To him we refer you for information as to the political state of this country; our design in addressing you at this time being only to continue that correspondence which he has opened and conducted hitherto with you on our behalf. We request to hear from you frequently, and if you make use of the cipher, the doctor has communicated the knowledge of it to one of our members.

Your letters via St. Eustatia, directed to the committee of secret correspondence, then put under cover to Mr. Robert Morris, merchant, in Philadelphia, and that letter under cover to Mr. Cornelius Stevenson, or Mr. Henricus Godet, merchants at St. Eustatia, or under cover to Mr. Isaac Governeur, merchant, at Curaçoa, will certainly come safe; and if you can send with them regular supplies of the English and other newspapers, you will add to the obligation. The expense of procuring will be re-imburshed, together with any other charges, and a reasonable allowance for your time and trouble in this agency.

*See index, title Wickes.

Several interesting and curious letters from Wickes are in the seventh chapter of Hale's Franklin in France.

^t2 Force's Archives, 5th series, 1213; 5 Sparks' Dip. Rev. Corr., 217.

The members of this committee, styled the committee of secret correspondence, are John Jay, esq., Thomas Johnston, esq., Robert Morris, esq., Colonel Richard Henry Lee, William Hooper, esq., and the Rev. Dr. John Witherspoon, and as vacancies happen by deaths or absence the Congress fill them up with new members, which we mention for your information; and with great respect and esteem, remain, sir, your most obedient servants,

ROBERT MORRIS.

RICHARD HENRY LEE.

JOHN WITHERSPOON.

WILLIAM HOOPER.

Robert Morris, et al., Committee of Secret Correspondence, to Deane.*

PHILADELPHIA, October 24, 1776.

DEAR SIR: We embrace this opportunity of your worthy colleague, and our mutual good friend Dr. Franklin, to transmit you copies of our letters of the 1st October by the sloop *Independence*, Captain Young, to Martinico, from whence they would be carried to you by Mr. William Hodge, jr., sent in said sloop for that purpose. Those letters contained a commission from the Congress appointing Dr. Franklin, Thomas Jefferson, esq., and yourself commissioners on behalf of the United States of America to negotiate a treaty of alliance and amity and peace with the court of France; a plan of that treaty; instructions from Congress relative thereto; form of passports for the ships of each nation, etc. We consider these papers as of the utmost consequence, and hope they will arrive safe.

Yesterday we wrote you a few lines, inclosing additional instructions from Congress to their commissioners, authorizing them to treat with other nations; also two resolves of Congress, by one of which you would see that Thomas Jefferson, esq., declined his appointment, and that Arthur Lee, esq., was appointed in his stead, to whom we inclosed a letter, copy whereof goes herewith. By the other, the commissioners are directed to hire or buy eight line-of-battle ships for the American service. These papers were sent under cover to William Bingham, esq., our resident at Martinico, with orders to forward them immediately.

We wrote you another letter yesterday, covering duplicates of all the papers and letters mentioned herein, and sent it by the armed brigantine *Lexington*, William Hallock, esq., commander, to Mr. Stephen Ceronio, our resident at Cape François, with directions to forward them to Messrs. Samuel and J. Hans Delap, merchants, at Bordeaux, who are requested to send the packet from thence by express to you; and Dr. Franklin carries with him triplicates of all these public papers. We

* MSS. Dept. of State; 2 Force's Archives, 5th series, 1214.

have been thus particular in mentioning them, and the conveyances by which they were sent, that you may know when the whole are received, and we desire you to be equally pointed in advising us thereof, for we shall be anxious to hear of their getting safe, and shall be very uneasy if we don't hear this in due time, for they ought not on any account to fall into the hands of our enemies.

Since Mr. Dickinson and Mr. Harrison were out of Congress, and Dr. Franklin appointed one of the commissioners at the court of France, the Congress have filled up the vacancies in this committee, and the members now are Mr. Jay, Mr. Johnston, Mr. Morris, Colonel Richard Henry Lee, Mr. William Hooper, and Dr. John Witherspoon, which we mention for your information.

We shall continue to address all our advices and dispatches to you only until informed that the other commissioners have joined you; but you will communicate the letters to them, as if directed to the whole, and we depend on you to notify Dr. Lee of his appointment, using the utmost precaution in the method of doing it, or his person may be endangered. We suppose it may be best to have the letter inclosed by the ministers of France to their ambassador in England, with proper cautions respecting the delivery of it. Dr. Franklin being the bearer of this letter, it is totally unnecessary for us to enter into any detail of what is passing here or to convey any political remarks. He being possessed of every knowledge necessary for your information, will communicate very fully everything you can wish to know.

Therefore, wishing you a happy meeting with him and a successful issue to your labors in the service of your country, we remain, with perfect esteem and regard, dear sir, your affectionate friends and obedient humble servants.

Deane to Bingham.*

25th OCTOBER, 1776.

DEAR SIR: I have received no letter from you since those of the 4th and 5th of August last, nor any intelligence from Congress since the 5th June, which not only surprises but distresses me. I now send to the care of Mons. Deant two hundred tons of a necessary article, to be at your orders for use of the Congress; the freight is to be paid in Martinique, as customary, and I wish you to ship it for the ports of the Colonies in such a manner and in such quantities in a vessel as you shall judge most prudent, advising the Congress of your having received it and the methods you are taking to ship it to them, praying them to remit you the amount of the freight, as you must make friends in Martinique for advancing the same.

I wish you could write me oftener, and inform me very particularly

* MSS. Dept. of State; 1 Sparks' Dip. Rev. Corr., 43.

what letters you receive from me directed immediately to you, and what letters for other persons. In this way I shall know which of my letters fail.

I am, with great respect, etc.,

SILAS DEANE.

P. S.—Forward the inclosed under cover, and with the usual directions in case of capture.

Deane to the Committee of Secret Correspondence *

PARIS, October 25, 1776.

GENTLEMEN: I have purchased two hundred tons of powder, and ordered the same to be shipped to Martinique to the care of Mons. Deant, to the direction of Mr. Bingham,† for your use. The first cost is eighteen sols per pound, or 10 pence sterling; the charges will be added; the amount I have not as yet ascertained, and interest at five per cent. until payment. I must again urge you to hasten your remittances. Tobacco, rice, indigo, wheat, and flour are in great demand, and must be so through the year. Tobacco is nine stivers per pound in Holland, rice 50 shillings sterling per hundred weight. Flour is already from twenty to twenty-three livres per hundred weight and rising. I have engaged a sale for twenty thousand hogsheads of tobacco, the amount of which will establish the credit of the Congress with the mercantile interest in France and Holland.

Let me urge your attention to these articles, though I must say your silence ever since the 5th of last June discourages me at times; indeed, it well-nigh distracts me. From whatever cause the silence has happened, it has greatly prejudiced the affairs of the United Colonies of America; and so far as the success of our cause depended on the friendship and aid of powers on this side the globe, it has occasioned the greatest hazard and danger, and thrown me in a state of anxiety and perplexity which no words can express. I have made one excuse after another until my invention is exhausted, and when I find vessels arriving from different ports in America which sailed late in August without a line for me, it gives our friends here apprehensions that the assertions of our enemies, who say you are negotiating and compounding, are true; otherwise, say they, where are your letters and directions? Surely, they add, if the Colonies were in earnest, and unanimous in their independence, even if they wanted no assistance from hence, common civility would cause them to announce in form their being independent States.

I will make no other comment on the distressing subject than this.

* MSS. Dept. of State; 1 Sparks' Dip. Rev. Corr., 44; 2 Force's Archives, 5th series, 1234.

† See index, title Bingham.

Were there no hopes of obtaining assistance on application in a public manner I should be easier under your silence, but when the reverse is the case, to lose the present critically favorable moment, and hazard thereby the ruin of the greatest cause in which mankind were ever engaged, distresses my soul, and I would if possible express something of what I have undergone for the last three months until hope itself has almost deserted me. I do not complain for myself but for my country, thus unaccountably suffering from I know not what causes.

I am, gentlemen, with most respectful compliments to the Congress, etc.

SILAS DEANE.

Carmichael to Dumas.*

AMSTERDAM, October 27, 1776.

DEAR SIR: You owe to my forgetfulness what ought only to proceed from my respect, yet I will not quarrel with anything that gives me an opportunity of writing to you.

I left the Memoir on Commerce in your hands, and it is necessary I should have it as soon as possible. I send you Common Sense, but you must look on my presents as Indian ones, for I, like they, expect much larger in return; as much as you please, and I am sure you can spare a great deal of what I send you. My present is only the rough material of America; your returns will be elegant and superb manufactures of Europe.

The English mail is not arrived. I have a very angry letter from Mr. William Lee on the subject I mentioned to you respecting Dr. B.^t I am happy to know that I acted for the public good, and that, without partiality to any person, will, I hope, always be the rule of my conduct.

I am, etc.,

WILLIAM CARMICHAEL.

Carmichael to the Committee of Secret Correspondence.[‡]

AMSTERDAM, November 2, 1776.

GENTLEMEN: Previous to your attention to what follows it will be necessary for you to know that I have lived with Mr. Deane since his first arrival at Paris; that I took that city in my way from London to Nantes to find a passage to my native country, and with dispatches which Mr. Arthur Lee intrusted to my care for the honorable

* 5 Sparks' Dip. Rev. Corr., 218.

^t See introduction, § 196.

[‡] MSS. Dept. of State; 5 Sparks' Dip. Rev. Corr., 5, with verbal changes and omissions.

Congress. Having a relapse of a disorder which prevented me from traveling I stopped at Paris, and endeavored to find out, by means of Count d'Estaing and other persons of eminence, the sentiments of the French court respecting our affairs, and the moment I knew of Mr. Deane's arrival offered him all the services in my power; and, of consequence, we have lived together until the 10th of the present month.

At that time the agent of the King of Prussia, who had often, as Mr. Deane has informed you, made proposals of a commercial nature, expressed a desire that some American would go to Berlin; and this he gave us to understand was at the instance of his sovereign, who wished to have a clear idea of the nature of our commerce, and expressed a curiosity, which he wished to gratify by a minute detail of our affairs.* Mr. Deane, thinking this an opportunity not to be neglected to interest a prince who for several years has been dreaming of making his port of Emden au Amsterdam, proposed it to me.† However unequal to the task, I have cheerfully undertaken it, happy to find any opportunity of showing with what a fervent zeal I am devoted to the glorious cause which at present, by interesting their humanity as well as policy, gives us so much consequence in the eyes of Europe.

Here I have endeavored to engage merchants to speculate in a direct commerce to America; to find out the sentiments of the people in general respecting us; to know whether, in case of necessity, the United States would be able to negotiate a loan; whether England would be able to obtain further credit, and, by this barometer of the ability of princes, to discover their present situation. On these heads I have written Mr. Deane; but having an opportunity by the way of St. Eustatia, and thinking none should be neglected of giving information, though mine perhaps may not be of importance enough to merit that title, I have taken the liberty of addressing the honorable committee. Arriving but two days after the accounts had reached this city of our misfortune on Long Island, I found many even of the sanguine friends of America dejected and those of England almost in a frenzy of joy. In this disposition it is easy to judge no hopes could be entertained of engaging merchants in a direct trade. I find they have the greatest inclination to serve us, and at the same time themselves, for no people see their interests clearer; but their fears that we shall be subdued, the confident assertions of the friends of England confirming these apprehensions, the prodigious sums they have in the English funds, with this unlucky business at New York, all conspire to prevent direct speculation.

As my letters from Paris introduced me to the first houses here, I have had the best opportunity of knowing their sentiments, and I can venture to say that, with many who are apparently adverse to us, it is interest combating with principle, for insulted, searched, and plundered

* See introduction, § 90.

† See index, title Emden; introduction, §§ 90 *ff.*

as the Dutch were the last war and are at present, their individuals by no means want sensibility to feel, though the public want spirit to resent, the injury. The States have, however, in answer to a fresh remonstrance of General Yorke,* declared that their ports are open to vessels of all nations, and that their trade to and from their own colonies shall be unmolested, their subjects complying with the ordinances issued by their high mightinesses. In fact, their prohibition of exporting warlike stores extends to all British subjects. I hope it will not be long before all Europe will own us in another character. It is very certain that, without a very material and apparent success of the British arms in America, a loan would be very slowly negotiated for England here. There is nothing hinders them now from selling out of the English funds but their not knowing what to do with their money; for this country may be called the treasury of Europe, and its stock of specie is more or less according to the necessities of the different princes in Europe. It being a time of peace, the call has not been very great of late.

Having mentioned the credit of England, that of France is next to be considered, and I am very sorry to say that has been very low here of late. The dreadful mismanagement of the finances in the late king's reign, the character of the late controller-general, M. d'Oluguy, had reduced it so low that it was impossible to borrow anything considerable on perpetual funds. By life-rents something might be done; perhaps a minister of finance in whose probity the world have a confidence may restore their credit. At this moment that is in some measure the case, for the French stocks rise on the appointment of M. Taboreau. That it is possible for France to borrow may be demonstrated; for at the time M. Turgot was removed he was negotiating a loan here, and was likely to succeed, for sixty millions of guilders. The credit of Spain is extremely good, and that kingdom may have what money it will and on the best terms. The emperor's credit is also good, not as emperor, but from his hereditary dominions. Sweden and Denmark both have good credit; the former the best; they have money at four per cent.; and it is not long since the King of Sweden borrowed three millions of guilders at this interest to pay off old debts at five per cent. His interest is paid punctually. Prussia has no credit here, but his treasury is full by squeezing the last farthing from the people, and now and then he draws a little money from this republic by reviving obsolete claims. The credit of the Empress of Russia is very good; for she has punctually paid the interest of twelve millions of guilders which she borrowed in her war with the Turks, and has lately paid off one million and a half of the principal. These are the strongest circumstances she could have in her favor with a mercantile people. I have this state of credit from persons em-

* Sir Joseph Yorke; see index, title Yorke.

ployed in negotiating the several loans, and therefore can depend on the truth of the information.

To come next to America, should time and necessity oblige her to look abroad for money. In the present state of affairs it is not probable that a loan is practicable. But should success so attend our arms, that it should appear evident, that is, should it appear evident we are likely to support our independence, or should either France or Spain acknowledge our independence, in either of these cases I believe we might have money, and when it was seen that we were punctual in our first payments of the interest we should have as much as we pleased. The nature of the security, or the fund for the payment of interest, I have not been able to imagine. But observing in a letter to Mr. Deane that it was the writer's opinion that the honorable Congress did not wish to circulate too much paper for fear of depreciating its value, I thought that bills issued similar to those in circulation in the provinces, and lodged in a public bank in Europe, might be accepted as a pledge or deposit for money borrowed by the United States. I beg pardon for the crudity of the idea, and would not have mentioned it here but that, having hinted at it in general conversation, people thought it might on a future occasion be adopted.

You will please to observe that everything here mentioned came from an individual who, only as such, avowed himself interested for his country's fate, and for its benefit sought information. Notwithstanding the rise of stocks, occasioned by our misfortune on Long Island, the Dutch are selling out, and my strongest representations have not been wanting to contribute a mite to this circumstance. The price of our product is great. Rice sells for twenty-five shillings sterling per hundred-weight and tobacco for eight stivers and four per pound. You have been threatened that the Ukraine would supply Europe with tobacco. It must be long before that time can arrive. I have seen some of its tobacco here, and the best of it is worse than the worst of our ground leaf. Four hundred thousand pounds have been sent here this year. The Russian ambassador said at the Baron le Guerre's, ambassador from Sweden, where I had the honor to dine, that Russia soon would be able to supply the market with that article. In this he spoke more like an ambassador than as a merchant. I took occasion, in reply, to observe that if that was the case, and on many other accounts, it was the interest of his mistress that all intercourse between Great Britain and America should be broken off, for that then the former would be dependent on Russia for all those articles which hitherto the latter had supplied her with.

Having expressed a desire of knowing these reasons at large, with the assistance of M. D. [Dumas]* and the approbation of Mr. Deane, I purpose giving in a little memoir on the subject, which the ambassador assures me shall be sent to Petersburg; not being so sanguine

* In the original we have simply D.

as to think that it will prevent Russia from supplying England with troops should the other demand them, but it may give a secret dilatoriness to their assistance which may finally operate in our favor.

If it should be determined to send any cargoes of tobacco here on the public account, it will perhaps be thought proper to convoy them. The frigates destined to that service might retaliate the injuries we have received by the destruction of Falmouth and Norfolk, by destroying the towns and shipping of Greenock and port of Glasgow, or Ayre and Cambleton. I have been particularly informed of the situation of those places until the present moment. They have no batteries to protect or soldiers to defend them nor quartered near enough in any numbers to be assembled for that purpose, and not a vessel of war on the whole coast larger than a tender to receive men for the sea service. Their rendezvous might be the entrance of the northern channel, where, while they waited a junction in case they should be separated, they might take the outward-bound ships, and by the information obtained from them insure their success. In returning, a party landed on the Isle of Bute might destroy the house of that favorite. Little objects strike most forcibly little minds. This affair completed, which would alarm Britain and astonish Europe, the ships trading to the Baltic with cargoes not only that suit, but are necessary for our provinces might be their next object. This ought all to be done in the months of March, April, and May. The destruction of the Greenland fishery might be the last object of the expedition. I am confident, not having a distrust of such attempts, the success would be the more certain. Should there be a necessity of seeking shelter or refreshments, I have it from the Swedish ambassador here that we shall find both in their ports. I only hinted to him that it was possible some of our adventurers might explore those seas in search of plunder.

This is the rough outline of a plan which the honorable Congress may, should it in any shape be approved, digest into form. I would stake my life on the success of the greatest part of it, if inviolable secrecy is preserved and the execution is trusted to persons who have not only wealth but glory in view. If, prompted by a heated and indignant imagination, this plan should appear dangerous and impracticable, I hope it will be imputed to the desire of revenging our injuries on that country, which has in some measure been the cause, and is at present endeavoring, with the rancor of private animosity, to accumulate our distress. I entreated Mr. Deane to propose some part of it to the consideration of Congress some time ago, and I have the pleasure to find his opinion corresponds with my own on the subject.

The resentment which it is said the honorable Congress have shown on the conduct of the King of Portugal towards us, has been attended with a very good effect, and should a manifesto be published by that honorable body, hinting only the necessity of taking similar measures with all those who denied them the common rights of mankind, I am

persuaded it would be to our advantage. It was the dread of such a blow to their trade that was one of the strongest arguments made use of by the merchants of this country in their petitions to the States. I need not mention to you anything respecting what is like to take place in Europe another year, for of that ere this you, I hope, have information. I will only say that the greater part contemplates with pleasure the gloomy prospect for England; there is not an envoy of the most petty state in Italy but exults at it. The want of intelligence from America hurts the cause prodigiously in Europe, and the anxiety of those who have its interests at heart is from that circumstance inconceivable. I hope I need not offer assurances to convince the honorable Congress of the zeal with which I wish to serve them. To be directed by that honorable body in what manner to do it most effectually will be the happiest circumstance of my life.

I have the honor to be, etc.,

WILLIAM CARMICHAEL.*

P. S. I can not seal this letter without recommending Colonel Prevet, should the fortune of war put him into our hands, to all the indulgences, to himself and family, his situation will possibly admit of. Mr. Grand,[†] his wife's father, an eminent merchant here, animated with that love of liberty which distinguishes his country (Switzerland), offers all the services in his power to the public and a thousand civilities to its individuals. If by the same fortune Mr. Dowdswell, of the first regiment of guards, should fall into our hands, his father's merits and his own reluctance will give him the same indulgences.

Since I wrote the above Mr. Grand has assured me that, should the honorable Congress determine to negotiate loans in Europe, and would draw bills, accepted by the principal merchants in America, payable at two, three, and five years' sight, and send them to their house, they should be discounted by them at five per cent. interest. This was the manner in which money was raised for the city of Leipsic during the last war. The gentlemen of the committee will please to observe that this is to be kept very secret, for no loan can be publicly negotiated here as yet. The firm of this house is Messrs. Horneca, Friginux & Co., and is one of the most capital in this city. Should any cargoes be consigned here on public account, perhaps it may be thought proper to address them to these gentlemen. I can assure you, gentlemen, and that from my own knowledge, that many bills remitted from America, and supposed to be drawn on account of Congress, have been refused pay-

* As to Carmichael personally, see index, title Carmichael.

The variations in Sparks' edition of Carmichael's dispatches from the originals in the Department are so numerous, and in many instances so material, that it is difficult to attribute it to the mere arbitrary taste of the editor. He may have access to other papers which he accepted instead of the originals.

[†] See index, title Grand.

ment by the English ministry, knowing beforehand when they would be presented for payment, and by that means having an opportunity of bribing, threatening, or flattering the parties on whom they were drawn either to refuse payment absolutely, or at least noting them for protest, in order to hurt the credit of our merchants in Europe. I do think that the less connection, for this and other reasons, we have in future with houses whose principal business depends on Great Britain the better. I beg pardon for giving my opinion thus freely, but it is the effect of my zeal.

W. C.

Deane to the committee of secret correspondence.*

PARIS, November 6, 1776.

GENTLEMEN: The only letters I have received from you were 4th and 5th of June last, five months ago, during which time vessels have arrived from almost every part of America to every part of France and Spain, and I am informed of letters from Mr. Morris to his correspondents dated late in July. If the Congress do not mean to apply for foreign alliances let me entreat you to say so, and rescind your resolutions published on that head, which will be but justice to the powers of Europe to whom you gave reason to expect such an application. If I am not the proper person to announce your independency and solicit in your behalf, let me entreat you to tell me so, and relieve me from an anxiety which is become so intolerable that my life is a burden. Two hundred pieces of brass cannon, and arms, tents, and accoutrements for thirty thousand men, with ammunition in proportion, and between twenty and thirty brass mortars, have been granted to my request, but the unaccountable silence on your part has delayed the embarkation some weeks already. I yesterday got them again in motion, and a part are already at Havre de Grace and Nantes, and the rest on their way thither, but I am hourly trembling for fear of counter orders. Had I received proper powers in season, this supply would before this have been in America, and that under the convoy of a strong fleet. The disappointment is distracting, and I will dismiss the subject, after taking the liberty, to which a freeman and an American is entitled, of declaring that by this neglect the cause of the United States has suffered in this and the neighboring courts, and the blood that will be spilt through the want of these supplies, and the devastation, if any, must be laid at this door.

Captain Cochran having arrived at Nantes, I sent to him to come to me. He is now with me, and by him I send this with a packet of letters. He can inform you of the price of American produce in Europe,

* MSS. Dept. of State; 3 Force's Archives, 5th series, 538; 1 Sparks' Dip. Rev. Corr., 45, with verbal changes.

the very advance on which will pay you for fitting out a navy. Rice is from thirty to fifty livres per hundred-weight, tobacco eight pence and nine pence per pound. Flour and wheat are growing scarce, and rising. Masts, spars, and other naval stores are in demand, and the more so as a war with Great Britain is considered as near at hand.

Mons. du Coudray, who has the character of being one of the best officers of artillery in Europe, has been indefatigable in our service;* and I hope the terms I have made with him will not be thought exorbitant, as he was a principal means of engaging the stores. The rage, as I may say, for entering into the American service increases, and the consequence is, that I am crowded with offers and proposals, many of them from persons of the first rank and eminence, in the sea as well as land service. Count Broglio, who commanded the army of France the last war, did me the honor to call on me twice yesterday with an officer who served as his quartermaster-general the last war and has now a regiment in his service; but being a German,† and having traveled through America a few years since, he is desirous of engaging in the service of the United States of North America. I can by no means let slip an opportunity of engaging a person of so much experience, and who is by every one recommended as one of the bravest and most skillful officers in the kingdom; yet I am distressed on every such occasion for want of your particular instructions. This gentleman has an independent fortune and a certain prospect of advancement here; but being a zealous friend to liberty, civil and religious, he is actuated by the most independent and generous principles in the offer he makes of his services to the States of America.

Inclosed you have also the plan of a French naval officer for burning ships, which he gave me, and at the same time showed me his drafts of ships and rates for constructing and regulating a navy, of which I have the highest opinion. He has seen much service, is a person of study and letters as well as fortune, and is ambitious of planning a navy for America which shall at once be much cheaper and more effectual than anything of the kind which can be produced on the European system. He has the command of a ship-of-the-line in this service, but is rather disgusted at not having his proposed regulations for the navy of France attended to. His proposal generally is to build vessels something on the model of those designed by the marine committee, to carry from twenty-four to thirty-six heavy guns on one deck, which will be as formidable a battery as any ship-of-the-line can avail itself of, and by fighting them on the upper deck a much surer one. Had I power to treat with this gentleman, I believe his character and friends are such, that he could have two or three such frigates immediately constructed here on credit and manned and sent to America; but the want of instruction or intelligence or remittances, with the late check on Long

* See introduction, § 82; index, title Coudray.

† Baron de Kalb. As to Broglio, see introduction, §§ 76, 77; as to Kalb, *id.*, § 79.

Island, has sunk our credit to nothing with individuals; and the goods for the Indian contract cannot be shipped unless remittances are made to a much greater amount than at present. Not ten thousand pounds have been received for forty thousand delivered in America as early as last February, and I am ignorant of what has become of the effects shipped. Under these circumstances I have no courage to urge a credit which I have no prospect of supporting. But I will take Mr. Morris' hint, and write a letter solely on business; but politics and my business are almost inseparably connected. I have filled this sheet, and will therefore bid you adieu until I begin another.

I am, with the utmost esteem, etc.,

SILAS DEANE.

Deane to the Committee of Secret Correspondence.*

PARIS, November 9, 1776.

GENTLEMEN: I have wrote to you often, and particularly of affairs here. The want of intelligence retards everything. As I have not a word from you since the 5th of June last, I am well-nigh distracted. That I may not omit any chance of sending to you I write this, though I have long and minute letters by me waiting the departure of General du Coudray and his train, who, had I been properly and in season instructed, would before this have been with you. At present I have put much to the hazard to effect what I have. Inclosed you have my thoughts on naval operations; and I pray you send me some blank commissions, which will enable me to fit out privateers from hence without any charge to you. A war appears at hand, and will probably be general. All Europe have their eyes on the States of America, and are astonished to find month after month rolling away without your applying to them in form. I hope such application is on its way. Nothing else is wanting to effect your utmost wishes.

I am with compliments to friends and respect to the Congress, etc.,

SILAS DEANE.

Arthur Lee to Dumas.[†]

LONDON, November 15, 1776.

DEAR SIR: The indispensable business of my profession has hitherto prevented me from complying, as I wished, with the desire of your very obliging favor.

You will have seen by the proceedings of Parliament how decided the king is in prosecuting the American war. For in truth he alone is

* MSS. Dept. of State; 3 Force's Archives, 5th series, 609; 1 Sparks' Dip. Rev. Corr., 48.

[†] 5 Sparks' Dip. Rev. Corr., 219.

minister, and his will governs with absolute sway. At the same time the powers which he has given to Lord Howe appear, from his declaration in America, to be most ample. That, however, I rather attribute to what is deemed the art of government than to any pacific or redressing intention. We can never forget the perfidy of making Lord Bouteourt declare to the assembly that the revenue act should be repealed, when in fact no such thing was intended or done, and the secretary of state, being ordered to tell the agents of Congress that his majesty had received their petition very graciously, and from the importance of it would lay it before his two houses of Parliament, when, at the same time, the same secretary wrote, by his majesty's commands, to all the governors of America, denominating that very Congress an illegal meeting, their grievances pretended, and ordering them to prevent their meeting again. These facts are too decisive to leave a doubt of the credit that is due to the promises of this court, and at this very time they are abusing the Howes for negotiating; the language of the court being, "we sent them to use their hands, and they are employing their heads."

The Rockingham part of the opposition are determined upon seceding from Parliament, in which Lord Shelburne, Lord Caunden, and the Duke of Grafton refuse to accompany them, for two reasons,* 1st, because the feelings of the public are not high enough for so decisive a measure; and, 2d, because the others will not agree to make the great fundamental abuse of the constitution, as well as the temporary misconduct of government, the groundwork of that secession. In a word, because they will not declare that the object of the measure is to obtain the abolition of corruption, and not merely the change of those who minister it. This schism will, however, reduce opposition, so as to leave the court at perfect ease from that quarter.

I thank you for the magnanimity of your sentiments towards our friends, on the supposition that the late occurrences are events of no consequence. I am by no means of that opinion. After the affair of Long Island the loss of New York was inevitable; but is not the successful army still faced and kept at bay by that over which it is supposed to have obtained these decisive advantages? Could any one expect more from a new-raised army than that it should face the disciplined invaders, almost equal in numbers, and much superior in equipments, to win its way by inches. Where, then, is the ground for despair, when our friends are looking our enemy in the face, and he does not dare to attack them? Of two things, sir, you may be satisfied, that the advantage on Long Island was obtained neither by the superiority of the troops nor of the general, but by his having bribed the officer who commanded the first pass,[†] who giving up his post without suffering a gun

* See introduction, §§ 31, 32.

† "This wants proof before it can be adopted as a historical fact.—SPARKS." See introduction, §§ 150, 151.

to be fired, enabled Clinton to march in the night and take the left wing of the Americans, so as to put them between two fires, from much superior numbers, with an immense train of artillery. The other fact is, that the officer who brought the last dispatches declared that the American lines upon New York island can not be forced but with a certainty of so much loss as can not be hazarded. General Howe will therefore try his former art of treachery and corruption, from which alone I am satisfied we have any thing to fear.

The talk of the Congress having sent deputies to Staten Island to negotiate with Lord Howe is not, that I know of, authenticated.

Adieu,

ARTHUR LEE.

Deane to the Committee of Secret Correspondence.*

PARIS, November 26, 1776.

GENTLEMEN: This serves only to inclose and explain the within state of the commerce of Leghorn, which was given me by the envoy of the Grand Duke of Tuscany, a gentleman of universal knowledge, and a warm friend to America, and indeed to all mankind. I have the honor of his acquaintance in an intimate degree, and have communicated to him a memoir, setting forth the particular state of the commerce of America, with the history of its rise and increase and its present importance, it being a copy of what I delivered to this court. He has marked the articles generally in demand, after which he enumerates their articles for exportation, which in my turn I marked and observed upon, as you will see.

I have only to add that the grand duke has taken off all duties on the American commerce to give it encouragement.† This, indeed, is done rather privately, to prevent complaint of other powers of a seeming partiality. When I add to this that it is agreed on all hands that ships of war may be purchased at Leghorn, ready fitted for sea, cheaper than in any port in Europe, I think a good acquaintance ought to be cultivated with this state.

I have the honor to be, etc.,

SILAS DEANE.

Deane to the President of Congress.‡

PARIS, November 27, 1776.

SIR: The bearer, Mr. Rogers, is a native of Maryland, whom I fortunately met in the hotel I some months lodged in. He was in Paris

* MSS. Dept. of State; 3 Force's Archives, 5th series, 851; 1 Sparks' Dip. Rev. Corr., 48.

† As to the unfortunate mission to Tuscany which this letter encouraged, see introduction, §§ 97a, 178.

‡ MSS. Dept. of State; 1 Sparks' Dip. Rev. Corr., 49.

finishing his education, and by my advice accepted the office of aid-de-camp to Monsieur du Coudray, and accompanies him out to America. I have received many kindnesses from him, and, confident of his integrity, have intrusted him with many things to relate to you *viva voce* especially should my dispatches fail. He has a general knowledge of my proceedings and what I have at times to struggle with. As he speaks French tolerably, he will, I conceive, prove a valuable acquisition at a time when such numbers of foreigners are crowding to enter your service.

I am, wishing him a speedy and safe arrival, with the most profound respect for the Congress, etc.,

SILAS DEANE.

Deane to the Committee of Secret Correspondence.*

PARIS, November 27, 1776.

GENTLEMEN: In a former letter I mentioned a naval enterprise which might at first appear romantic, but the more it is considered the less danger I shall be in of being taxed on that score. Admiral Montague lately returned from the banks, where the fishermen have had a wretched season, in consequence of the American privateers. He left two small sloops of war there of fourteen and sixteen guns. In common years they leave six or seven thousand of their laborers or fishermen there, as in a prison, through the winter, employed in taking seals, repairing boats, stages, etc.; these are unarmed, and ever dissatisfied to the last degree with their situation. Two frigates, arriving early in February, would destroy the fishery for one if not two years, and obtain an acquisition of a fine body of recruits for your navy. I have conferred with some persons here on the subject, who highly approve the enterprise, but I submit it to your opinion, after urging dispatch in whatever is done or attempted on that subject.

The resolution of the court of Spain in the case of Captain Lee,† at Bilboa, gives every encouragement to adventurers in these seas, where the prizes are valuable, and where you have constantly harbors at hand on the coast of France and Spain to repair and refit in, and where constant and certain intelligence can be had of the situation of the British ships of war, as well as of commerce. I need not add, on a subject so plaiu, and at the same time so important, but will only remind you that the Dutch, in the space of two or three years after their first revolt from Spain, attacked the Spaniards so successfully and unexpectedly in every quarter of the globe, that the treasures they obtained thereby enabled them to carry on the war. Let me repeat, that if you empower me or

* MSS. Dept. of State; 3 Force's Archives, 5th series, 867; 1 Sparks' Dip. Rev. Corr., 50.

† See Deane to committee, Oct. 17, 1776.

any other person here you may obtain any number of ships of war on credit from individuals on paying interest at 5 per cent. until the principal is discharged. The king will probably have use for his, and besides, to let his go would be the same as a declaration of war, which, in form at least, will for some time be avoided.

I write on different subjects in my letters as they rise in my mind, and leave you to use as you may judge best my sybil leaves,

And am, gentlemen, etc.,

SILAS DEANE.

Deane to the Committee of Secret Correspondence.*

PARIS, November 28, 1776.

GENTLEMEN: Your favor of the 7th of August last, covering a copy of yours of the 8th of July, I received, though the original never came to hand.

This letter also inclosed the Declaration of Independency, with instructions to make it known to this and the other powers of Europe; and I received it the 7th instant, though the vessel which brought it had but thirty-eight days' passage from Salem. This letter was very far from relieving me, as it inclosed what had been circulated through Europe for two months before, and my pretending to inform this court would be only a matter of form, in consequence of your orders, which were expressed in the style of any common affair. I certainly prefer simplicity of style, as well as manners, but something is due to the dignity of old and powerful states, or, if you please, to their prejudices in favor of long-accustomed form and etiquette; and as the United States of America by this introduce themselves among the established powers and rank with them, it must, of course, be expected that at the first introduction, or the announcing of it, some mode more formal, or, if I may so say, more respectful, would have been made use of, than simply two or three lines from the committee of Congress, in a letter something more apparently authentic; not that either your power or the reality of your letter could be doubted. I mention it as deserving consideration whether, in your application here and your powers and instructions of a public nature, it is not always proper to use a seal. This is a very ancient custom in all public, and even private, concerns of any consequence.

Further, to keep a proper intercourse with Europe, it is by no means sufficient to write a single letter, and leave it to be forwarded when the captain of a vessel thinks of it, or has nothing else to do. Duplicates of every letter should be lodged in every port, in the hands of faithful

* MSS. Dept. of State; 3 Force's Archives, 5th series, 882; 1 Sparks' Dip. Rev. Corr., 51, with omissions and verbal changes. A copy of this dispatch, somewhat imperfect, is given in 11 Penn. Mag. of History, 199.

and attentive persons, to be forwarded by the first conveyance to any part of Europe. Had this been practiced since my leaving America, instead of receiving but two short letters from you I might have had intelligence every month. Let me urge you, from the danger our affairs have been in of totally miscarrying for want of intelligence, to pay some attention to this in future.

As the copy was dated the 8th of July, I took occasion to observe that the honorable Congress had taken the earliest opportunity of informing this court of the declaration of their independency, and that the variety of important affairs before Congress, with the critical situation of the armies in their neighborhood and the obstructions of their commerce, had prevented that intelligence which had been wished for; but that the present served to show the early and principal attention of the United States to this court; and as their independency was now in form declared, the queries I had formerly put in consequence of my first instructions might now be resolved, and I hoped favorably. To this I was answered, unless France, by a public acknowledgment of your independency, makes war on Great Britain in your favor, what service can such acknowledgment be of to the United States? You are known here, our ports are open and free for your commerce, and your ships are protected in them, and greater indulgences allowed than to any other nations. If France should be obliged to make war on England, it will be much more just and honorable in the eyes of the world to make it on some other account; and if made at all, it is the same thing to the United States of America, and in one important view better for them to have it originate from any other cause, as America will be under less immediate obligation. Further, France has alliances, and can not resolve a question which must perhaps involve her in a war without previously consulting them. Meantime the United States can receive the same succors and assistance from France without as well as with such an open acknowledgment, and perhaps much more advantageously. To this and such like arguments I had the less to reply, as you informed me that articles for a proposed alliance with France were under consideration, and that I might soon expect them.

I was further told that the Swiss Cantons, though in every respect free and independent states for several centuries, had not to this hour been acknowledged as such by any public act of any one power in Europe except France, and that neither the revolution in the United Provinces or Portugal had been attended with any such acknowledgment, though the powers of Europe in both cases lent their aid. I replied, that I would not urge a formal acknowledgment as long as the same ends could be obtained, and without the inconveniences hinted at; besides, as I daily expected further instructions, would reserve myself until their arrival. The apprehensions of the United States negotiating has done us much damage, and the interview at New York, said to have been between a commissioner of Congress and the two brothers,

however politic the step may have been in America, was made use of to our prejudice in Europe, at this court in particular, and it has been for some time asserted by Lord Stormont and others that a negotiation would take place, and as far as this is believed, so far our cause has suffered and our friends staggered in their resolutions. My opinion is, that the house of Bourbon in every branch will be our friends; it is their interest to humble Great Britain.

[I am again haunted with Williamson, who certainly has the confidence of some well-meaning people with you, and as certainly betrays it, for he is pimping into every corner of France to see what is doing, under pretense of being a zealous American, and every month or six weeks slips back to London with his budget, which he unloads at Lord North's. I dare not have him attacked as a spy, as he would in such case be immediately defended by Lord Stormont, and I might be troubled to prosecute. I can only, therefore, warn you and all Americans against him.] *

Yesterday it was roundly affirmed at Versailles that a letter was received in London from Philadelphia, in which it was said I had written advising the Congress to negotiate, for that I could obtain no assistance from Europe. You can hardly conceive how dangerous even such reports are, and how prejudicial every step that looks like confirming them. The importance of America in every point of view appears more and more striking to all Europe, but particularly to this kingdom.

Inclosed I send you the size of masts and spars, with the price, which, if it will answer, may be a certain article of remittance, as may other naval stores; but I dare not contract with the marine, as I have no powers, and am unacquainted with the rate at which they were usually exported to England. A wide field is opening, as the American commerce is to be free, and I have had many applications from many parts on the subject, though few are disposed to venture until the close of this campaign; and if it is not decisive against us, our wants will be supplied another season at as cheap a rate as ever, but I trust never more on the old terms of long credit.

I am well-nigh harassed to death with applications of officers to go out to America. Those I have engaged are, I trust, in general of the best character; but that I should engage, or rather take from the hands of some leading men here, some one or two in a number not so accomplished can not be surprising, and may, considering my situation, be pardonable; but I have no suspicion of any such in my department of consequence. I have been offered troops from Germany on the following general terms, viz: Officers to recruit as for the service of France and embark for St. Domingo from Dunkirk, and by altering their route land in the American States. The same has been proposed from Switzerland, to which I could give no encouragement, but submit it to your consideration in Congress whether, if you can establish a credit,

* The unjustness of this suspicion has been already noticed, *supra*.

as I have before hinted, it would not be well to purchase at Leghorn five or six stout frigates, which might at once transport some companies of Swiss and a quantity of stores, and the whole be defended by the Swiss soldiers on their passage? Or, if you prefer Germans, which I really do not, the vessels might go from Dunkirk. I daily expect important advices from the north respecting commerce at least, having sent to the King of Prussia, in consequence of a memorial he ordered his agent here to show me, and propose some queries to me, a state of the North American commerce at large. I have presented memorial after memorial here, until in my last I think I have exhausted the subject as far as the present time, having in my last given the history of the controversy, obviated the objections made against us, and pointed out the consequences that must ensue to France and Spain if they permit the Colonies to be subjugated by their old hereditary enemy. It consisted of fifty pages, and was, after being translated, presented to his majesty and his ministers, and I was assured was favorably received and considered. I presented it about two weeks since, and whether it has hastened the preparations or not I can not say. The ministry were pleased to say that I had placed the whole in the most striking point of view, and they believed with great justice. I could wish to send you copies of these, but I have no assistant except occasionally, and the uncertainty of my situation will not permit my engaging [for anything certain] to one who might deserve confidence, and those who are deserving are but few.

[I would advise, in concerns in this and other kingdoms, to have very little concern with natives of Great Britain—never, if to be avoided—but prefer foreigners. It is more safe and more politic. I say foreigners, but all are foreigners alike in one sense. I except Messrs. Delaps, who are, though of Irish extract, born in France, and have their whole connections here.]*

Bread will be scarce before the next harvest. Flour is now twenty-two and twenty-three livres per hundred-weight, and tobacco is as I have before mentioned; and I promise myself you will not let slip so favorable an opportunity of making remittances to advantage. In expectation of your sending over frigates to convoy your ships and of your giving instructions on what I have written you of operations in these seas, I design being at Bordeaux in March, when I shall be able to give you the needful directions in any such affair; but, at any rate, send out a number of blank commissions for privateers to be fitted out in Europe under your flag. The prizes must finally be brought to you for condemnation, and the principal advantage will remain with you. I have written largely and on many subjects, yet fear I have omitted something; [if so, must when I write again recollect on lesser subjects.

* This and prior passage in brackets omitted by Sparks. The second is important, as explaining Deane's views towards England at the time, contrasted with those expressed in 1780 and subsequently.

I wish I had here one of the best saddle-horses of the American or Rhode Island breed. A present of that kind would be money well laid out with a certain personage. Other curious American productions at this time would, though trifles in themselves, be of consequence rightly timed and placed. I mentioned Mr. Rittenhouse's orrery in a former letter, and I think Arnold's collection of insects, etc., but I submit any step of this kind to your mature judgment.]*

Mons. du Coudray will be with you by the receipt of this with stores complete for thirty thousand men. The extraordinary exertions of this gentleman and his character entitle him to much from the United States; and I hope the sum I have stipulated with him for will not be considered extravagant, when you consider it is much less than is given in Europe. Baron de Kalb I consider an important acquisition, as are many other of the officers whose characters I may not stay to particularize, but refer you to Baron de Kalb, who speaks English, and to Mr. Rogers, who is generally acquainted with them.† As to sea officers, they are not so easily obtained, yet some good ones may be had, and in particular two, one of whom I have already mentioned: the other is quite his equal, with some other advantages; he was first lieutenant of a man-of-war round the world with Captain Cook, and has since had a ship, but wants to leave this for other service, where he may make a settlement and establish a family. These two officers would engage a number of younger ones. Should they embark, I send herewith the plans of one of them for burning ships. I submit it to the honorable Congress, who are sensible of the variety and magnitude of the objects before me, whether it is not of importance to dispatch some one of its body to assist me, or to take a part by his own immediate direction [I say some one of its body, as it will give dignity—rather support it in a proper manner—when you send persons known to possess your fullest confidence, and the advice and assistance of such a one in Europe would be of service to me], though he were and I were occasionally at Madrid or Berlin. Having obtained some knowledge of the language and an acquaintance with those in power here, as well as others, what abilities as I have, which are ever devoted to my country, can be employed here to the best advantage at present. But I submit my thoughts to your determination, and

Am, with great truth and sincerity,

SILAS DEANE.

* Omitted by Sparks. See *infra*, Deane to Jay, Dec. 3, 1776.

† See index, Kalb.

Deane to the Committee of Secret Correspondence.*

PARIS, November 29, 1776.

GENTLEMEN: The several letters you will receive with this will give you some idea of the situation I have been in for some months past, though after all must refer you to Mr. Rogers for particulars on some subjects. I should never have completed what I have but for the generous, the indefatigable, and spirited exertions of Monsieur Beaumarchais, to whom the United States are on every account greatly indebted; more so than to any other person on this side of the water. He is greatly in advance for stores, clothing, and the like; and therefore am confident you will make him the earliest and most ample remittances. He wrote you by Mr. McCrery and will write you again by this conveyance. A nephew of his, a young gentleman of family, education, and spirit, makes a voyage to America with Monsieur du Coudray, and is ambitious of serving his first campaigns in your service. I recommend him therefore to your particular patronage and protection, as well on account of the great merits of his uncle, as on that of his being a youth of spirit and genius; and just entering the world in a foreign country, he needs protection and advice paternal to countenance and encourage him. This I have confidently assured his uncle he will constantly receive from you, and am happy in knowing you will fulfill my engagements on that score, and in whatever department you may fix him, that you will recommend him to the patronage of some person on whom you may rely to act at once the friendly and the paternal part.

A particular account of the stores shipped may probably not be ready by this vessel, but may go by the next or some succeeding one, as several will sail after this on the same errand. Let me by every letter urge on you the sending in season a quantity of tobacco, of rice, and of flour or wheat. These are articles which cannot fail, and are capital ones [lesser are not to be omitted]. Twenty thousand hogsheads of tobacco are this instant wanted in France, besides the demand in other kingdoms. I think Monsieur Beaumarchais wrote you under the firm of Hortalez & Co., if so, you will address him in the same style;† but as I must probably remain here until the arrival of these articles, I can regulate that on the arrival of your dispatches. I have advised these stores being shipped for some of the New England ports, northeast of Newport first, and if failing of making a port there, to stand for the capes of the Delaware, or for Charleston in South Carolina, as the most likely route to avoid interception. I can not in a letter do full justice to Monsieur Beaumarchais for his great address and assiduity in our cause; I can only say he appears to have undertaken it on great and liberal principles and has in the pursuit made it his own. His interest

* MSS. Dept. of State; 3 Force's Archives, 5th series, 900; 1 Sparks' Dip. Rev. Corr., 55, with verbal changes.

† See introduction, § 61.

and influence, which are great, have been exerted to the utmost in the cause of the United States, and I hope the consequences will equal his wishes.

I have the honor to be, etc.,

SILAS DEANE.

Deane to the Committee of Secret Correspondence.*

PARIS, November 29, 1776.

GENTLEMEN: I have recommended several officers to your service, but none with greater pleasure, scarce any one with so much confidence of his answering great and valuable purposes, as the bearer, Colonel Conway,^t a native of Ireland, advanced in this service by his merit. His views are of establishing himself and his growing family in America; consequently he becomes our countryman and engages on the most certain principles. This gentleman has seen much service; his principal department has been that of training and disciplining troops and preparing for action; and from his abilities, as well as from his long experience, he is considered as one of the most skillful disciplinarians in France. Such an officer must be, I conceive, of very great service; and his generously confiding in the honorable Congress for such rank and appointments as they shall confer entitles him still more to our immediate attention and notice. I have assured him of the most favorable reception and am confident he will receive the same.

Colonel Conway brings with him some young officers of his own training which know well the English language, and may be of immediate

* MSS. Dept. of State; 3 Force's Archives, 5th series, 901; 1 Sparks' Dip. Rev. Corr., 57, with omissions and verbal changes.

^tThomas Conway (Count de Conway, as he sometimes calls himself) was born in Ireland in 1733, entered the French service early in life, and when the above letter was written held the rank of colonel in that service and had received the decoration of St. Louis. On May 13, 1777, he was commissioned as brigadier-general in the army of the United Colonies, and acted as such in the battles of Brandywine and Germantown. He was the most prominent military member of the conclave which, dissatisfied with Washington's cautious policy, sought, in connection with the congressional party elsewhere noticed, to secure his removal from command. Washington, not on this ground, for he was unaware of Conway's part in the conspiracy but for public reasons, opposed Conway's promotion to a major-generalship, which was nevertheless carried through Congress on December 14, 1777. Subsequently anonymous letters calumniating Washington, some alleged to be forged, were traced to Conway, who resigned in March, 1778, Congress promptly accepting his resignation. In July, 1778, he was wounded in a duel by General Cadwallader, the cause of the challenge being these letters and other insults to Washington by Conway. It is highly creditable to Conway that as soon as he was able to write, after this wound, he sent a thorough apology to Washington, withdrawing every charge he had made. He then returned to France, where he was appointed governor of the French settlements in Hindostan, where, however, his imprudence is said to have greatly injured the French cause. In 1793 he was in charge of the royalist army in the south of France, but was driven from the country, and died in exile in 1800.

service in the same important department of discipline. As Colonel Conway has been long in service (though in the prime of life), I am confident you would not think it right he should rank under those who have served under him in this kingdom, which will not be the case if he fills the place of an adjutant or brigadier general, for which, I am well assured, he is every way well qualified. I have advanced him, as per receipt inclosed, towards his expenses and appointments or wages, and told him he may rely on your granting him one of the above ranks in the continental forces. Should the honorable Congress have a new body of troops to form in any part of the continent, this gentleman might take the direction of them to very great advantage, and may, I presume, be equally so in the station you may appoint him in the main army.

I have the honor to be, etc.,

SILAS DEANE.

Deane to the Committee of Secret Correspondence.*

PARIS, December 1, 1776.

GENTLEMEN: Among the many important objects which employ your whole attention I presume ways and means for defraying the expenses of the present war has a capital place. You will, therefore, give the following thoughts the weight which they deserve. In the first place, to emit more bills will be rather dangerous; for money, or whatever passes for such, when it exceeds the amount of the commerce of a state, must lose its value, and the present circumscribed state of the American commerce is perhaps within the amount of your emissions already made. Your bills, therefore, must be borrowed of individuals by the public at interest, or those already emitted paid off by taxes and new emissions made; some colonies may now be content with a tax, but it is, most probably, quite out of the power of some, and a measure rather impolitic in a majority of the Colonies or States *durante bello*.

To effect any considerable loan in Europe is perhaps difficult. It has not been tried, and on the probability of succeeding in this I will give my sentiments hereafter. This is obvious, that, let the loan be made when it will, it must have a day fixed for payment and respect to some fund appropriated to that purpose. The relying on future taxes is holding up to the people a succession of distresses and burdens which are not to cease even with the war itself, whereas, could they have a prospect of paying the expenses of the war at the close of it, and enjoying the remainder of their fortunes clear of incumbrance, it must greatly encourage and animate both the public and private (spirit) in pushing it on with vigor. A loan of six or eight millions, or a debt of that amount, will probably enable you to finish the war. This, I am confident, may

* MSS. Dept. of State; 3 Force's Archives, 5th series, 1019; 1 Sparks' Dip. Rev. Corr., 58, with verbal changes.

be negotiated on terms which I will propose hereafter, but previously let it be attended to that the present contest has engaged the attention of all Europe—more, it will eventually interest all Europe—in favor of the United States, the Russians in the north, and Portugal in the south, excepted; I make no consideration of the little mercenary electorates in my calculation. The mercantile part of the other powers are convinced, where their interest appears so evidently engaged. The political part are sensible of the importance of enlarging their own naval concerns and force and checking that of Great Britain. The good and wise part, the lovers of liberty and human happiness, look forward to the establishment of American freedom and independence as an event which will secure to them and their descendants an asylum from the effects and violence of despotic power, daily gaining ground in every part of Europe. From those and other considerations, on which I need not be minute, emigrations from Europe will be prodigious immediately on the establishment of American independency. The consequence of this must be the rise of the lands already settled, and a demand for new or uncultivated land; on this demand I conceive a certain fund may now be fixed. You may smile, and recollect the sale of the bear skin in the fable, but, at the same time, must be sensible that your wants are real, and if others can be induced to relieve them, it is indifferent to you whether they have a consideration in hand or in prospect.

I trace the river Ohio from its junction to its head, thence north to Lake Erie, on the south and west of that lake to Fort Detroit, which is in the latitude of Boston, thence a west course to the Mississippi, and return to the place of my departure. These three lines, of near one thousand miles each, include an immense territory, in a fine climate, well watered, and by accounts exceedingly fertile; it is not inhabited by any Europeans of consequence, and the tribes of Indians are inconsiderable, and will decrease faster than the lands can possibly be called for cultivation. To this I ask your attention as a resource amply adequate, under proper regulations, for defraying the whole expense of the war and the sums necessary to be given the Indians in purchase of the native right. But to give this land value inhabitants are necessary. I therefore propose, in the first place, that a grant be made of a tract of land at the mouth of the Ohio, between that and the Mississippi, equal to two hundred miles square, to a company formed indiscriminately of Europeans and Americans, which company should form a distinct State, confederated with and under the general regulations of the United States General of America. That the Congress of the United states shall, out of such grant, reserve the defraying or discharging of the public debts or expenses; one-fifth part of all the lands, mines, etc., within said tract to be disposed of by the Congress in such manner as good policy and the public exigencies may dictate, the said one-fifth to be sequestered out of every grant or settlement made by

the company of equal goodness with the rest of such grant or settlement. The company, on their part, shall engage to have, in seven years after the passing such grant, — thousand families settled on said grant, and civil government regulated and supported on the most free and liberal principles, taking therein the advice of the honorable Congress of the United States of North America. They shall also, from and after their having one thousand families, as above mentioned, contribute their proportion of the public expenses of the continent or United States, according to the number of their inhabitants, and shall be entitled to a voice in Congress as soon as they are called on thus to contribute. The company shall at all times have the preference of purchasing the continental or common interest thus reserved when it shall be offered for sale. The company shall consist, on giving the patent or grant, of at least one hundred persons.

These are the outlines of a proposed grant, which, you see, contains more than twenty-five million acres of land, the one-fifth of which, if a settlement is carried on vigorously, will soon be of most prodigious value. At this time a company might be formed in France, Germany, etc., who would form a stock of one hundred thousand pounds sterling to defray the expense of this settlement. By such a step you, in the first place, extend the circle of your connection and influence; you increase the number of your inhabitants, proportionably lessen the common expense, and have in the reserve a fund for public exigencies. Further, as this company would be in a great degree commercial, the establishing commerce at the junction of these large rivers would immediately give a value to all the lands situated on or near them, within the above extensive description, and future grants might admit of larger reserves, amply sufficient for defraying the expenses of the war, and possibly for establishing funds for other important purposes. It may be objected this is not a favorable time for such a measure. I reply it is the most favorable that can happen. You want money, and by holding up thus early to view a certain fund on which to raise it, even the most certain in the world, that of land security, you may obtain the loan and engage the moneyed interest of Europe in your favor. I have spoke with many persons of good sense on this subject, which makes me the more sanguine.

As to a loan, I will now dismiss this scheme to speak of that, only adding, or rather repeating what I have in a former letter wrote, that a large and generous allowance ought immediately to be made for the officers and soldiers serving in the present war, in which regard should be had to the wounded, the widows or children of those that fall, and to the term or number of campaigns each one serves. This will make the army consist literally of a set of men fighting for free-hold, and it will be a great encouragement to foreigners, with whom five hundred or a thousand acres of land has a great sound.

It has been a question with me at times whether, if our commerce

were open and protected, the Colonies would be wise in negotiating a loan. But on considering that, before this war, the importation of the Colonies just about balanced their exports, I can not think it possible, with the most rigid economy, supposing exports as large as formerly, to make a lessening of consumption equal to the amount of the expenses of the war; and that consequently a debt must be contracted by the public somewhere. The question which naturally rises on this is, whether it be most prudent to contract this debt at home or abroad. To me it admits of no doubt that the latter is to be preferred on every account. If you can establish a credit, and pay your interest punctually, the rate of interest will be less by 2 or 3 per cent. in Europe than in America; you will thereby engage foreigners by the surest tie, that of their immediate interest, to support your cause, with many other obvious reasons for preferring the latter mode.

The next question is, where can you borrow, and what security can you offer? Holland is at present the center of money and credit for Europe, and every nation is more or less indebted to them collectively to such an amount that, could the nations in Europe at once pay the whole of their debts to this republic of mammon, it would as effectually ruin it as the breaking in of the sea through their dikes. Would you know the credit and situation of the affairs of the different kingdoms, consult the books of the Dutch banks.

This kingdom (France) has been in bad credit from the villainy of a late comptroller-general, as it is said, one Abbé Terrai, against whose administration the severest things have been uttered and written. He was succeeded by the much-esteemed Mons. Turgot, and stocks rose, and a commission was given to a banker (a correspondent of mine in Amsterdam) to negotiate a loan; but the dismissal of Mons. Turgot, and the indifferent opinion moneyed men at least had of his successor, Mons. Clugny, prevented the loan and fell the stocks. Mons. Clugny died last week, and is succeeded ostensibly by one Mons. Tabourou; I say ostensibly, for one Mons. Necker, a noted Protestant banker, is joined with him as intendant of the treasury. This raised stocks immediately, and I am told they have already risen ten per cent. This is the most politic appointment that could have been made, and it deserves our notice, that, where a man has it in his power to be of public service, his principles of religion are not a sufficient obstacle to hinder his promotion even in France. This will probably enable this kingdom to borrow money, which, from all appearances, will soon be wanted. Spain, from the punctuality of its payments of interest, and its well-known treasures, is in high credit in Holland. Denmark borrows at four per cent., Sweden at the same; the Emperor of Germany, from the security of his hereditary dominions, and the Empress of Russia from her having lately paid part of the large sum she borrowed in the Turkish wars, are both of them in good credit. The credit of Great Britain, though it has not fell, yet it is in a ticklish situation with those far-seeing people,

who, on receiving the news of the action on Long Island, which raised stocks a trifle in England, began immediately to sell out.

Not a power in Europe, the King of Prussia excepted, can go to war without borrowing money of Holland to a greater or less amount, and whilst so many borrowers are in its neighborhood, whose estates, as I may say, are settled and known, it is not to be expected Holland will be fond of lending money to the United States of North America though we should offer higher interest. To offer a large interest might be tempting, but it would be very ruinous to us, and I conceive it will never be thought prudent to permit higher than five per cent. interest in the States of North America, and this is but one per cent. more than is given in Europe.

This view leads me again to reflect, as I constantly do with the utmost grief, on the unaccountable delay of proper authority announcing the independency of the United States of North America and proposing terms of alliance and friendship with France and Spain. This, I am as confident as I can be of anything not already effected, woudl at once remove this and many other difficulties; would put our affairs on the most established and respectable footing, and oblige Great Britain herself to acknowledge our independency and court our friendship, or hazard the chance of ceasing to be a nation. On such powers being received and presented, these kingdoms, I have no doubt, would become our guaranty for the money we want, and the produce of our country will be wanted for the interest, and even the principal, as fast as we can transport it hither. But as no such powers and instructions are received, and as it is possible you mean not to send any, I will mention a few thoughts on another plan.

You are not in want of money, but the effects of money in the manufactures of Europe. For these the Colonies or United States must now have a demand for the amount of some millions sterling. These manufactures are to be had principally in France and Holland. As to the latter, they have not at present, and are resolved never to have, any particular connection with, or friendship for, any power further than their commerce is served by it; but that is not the ruling passion of the former. The desire of humbling their old rival and hereditary enemy and aggrandizing their monarchy are predominant, and never was there a more favorable opportunity than the present; so favorable is it, that were the funds of this kingdom in a little better situation, and were they confident the United States would abide by their independency, not a moment's time would be lost in declaring (war), even though you had made no application direct. Whatever part this kingdom takes will be pursued by the court of Madrid. Would this court give credit even to private merchants it would answer the same purpose as a loan; as, for instance, the United Colonies want about three millions value of manufactures annually (it has heretofore been rising of that) from Europe. If this court will give a credit to that amount

to any body of men in the kingdom, that company may engage to pay the court the same amount in continental bills within a limited time, this company may send to America supplies to that amount as the Congress shall order, such goods as are wanted either for the army or navy ; the Congress will instantly deposit their bills for the amount ; the residue may be sold at a stated advance for continental bills, the whole of the amount immediately put on interest to this court. This will be the calling in of such an amount of the bills, and of course give the greater currency to the whole. Meantime, this court must become interested to have the commerce free, by which alone remittances can be made. This is but a sudden thought, recommended to you for digesting, if deemed worthy. That something may be effected in this way I can have no doubt, while I have this most unequivocal evidence. I am now credited to the amount of all the supplies for thirty thousand men, a train of artillery, amounting to more than two hundred pieces of brass cannon, ammunition, etc., which must be of near half a million sterling, not ostensibly by the court, but by a private company. At the same time other companies, as well as individuals, after offering any loan or credit I should ask, always brought in sooner or later the condition of having my bills indorsed by some banker or person of credit, where you are sensible in my situation the affair ended, though in several instances I had the most flattering encouragement, and expected most assuredly no security would be required ; but that this particular house should be able and willing to advance this prodigious sum at once and without security is no way surprising, but perfectly consistent with what I have all along asserted.

The most effectual card now played by the British ambassador is asserting that an accommodation will soon take place, and by some means or other conjecturing my want of powers by my not appearing at court, he is bold in this assertion, and I find it the greatest difficulty I have to encounter. But I will not enter on a subject which has well-nigh distracted me, and embarrassed and disheartened, in a greater or less degree, every friend of America. The late conduct of the court of Spain respecting Captain Lee, whose case I mentioned before, is a striking proof of what I have so positively asserted of the good disposition of both these courts. They dismissed the complaint against him, afforded him protection, with assurances of every assistance he might need, declaring publicly that their ports were equally free for Americans as for Britons. I have, besides these overt acts, still more convincing proofs that the moment your application is made everything will be set in proper motion.

I now dismiss a subject which has given, and still continues to give, me as much anxiety as I can struggle with, and mention another, a little new, but indeed somewhat connected with it : it is the equipping of a number of American ships of war in the ports of France. Considering the price of duck, cordage, ordnance, and other military stores

in America, they may be built much cheaper here. This is not the sole advantage; they may carry over stores of every kind in safety as being French bottoms, ostensibly at least; all the brave and ingenious in the marine department in this kingdom would become adventurers in person or in purse and influence in such a scheme; and I speak on good grounds when I say that in three months after receiving your orders I can have ten ships of at least thirty-six guns each at your service, independently of assistance immediately from government, so much attention is paid to the American cause by all persons of consequence in this kingdom. The honorable Congress must, I conceive, either continue emitting bills or borrow money, and I submit whether it be not better to borrow of foreign states than of individuals in the present situation of American affairs; if of foreigners, I am convinced you may borrow five or six millions of Holland or France becoming your security. This I am confident may be obtained on application to this Court and Spain, and that on these principles they can by no means be willing to permit the Colonies to return to their former subjection to Great Britain, armed as both countries are. Their possessions in America must lie at the mercy of Great Britain on such an event as a reconciliation with the Colonies. The Colonies being in want of the manufactures of Europe, of this kingdom in particular, this sum would, a principal part of it, rest in France, and give a great spring to their manufactures, and give them the advantage of the first lead in American commerce. These are important objects, and I have no doubt would be considered of consequence sufficient for them to risk such a credit. Rich individuals offer to supply any quantity of goods or stores on such security, and I believe the latter would do considerable, were they only assured of five per cent. interest on their debts after they become due. But I submit the whole to the mature consideration of the honorable Congress.

And am, etc.,

SILAS DEANE.

Beaumarchais to Congress.

[Extract.] *

PARIS, December 1, 1776.

GENTLEMEN: With regard to me, gentlemen, my sincere attachment to your cause and my respectful esteem for your persons has not suffered me to hesitate and to wait till vessels loaded by you should arrive in this country with the produce of your own in exchange for our merchandise, but the faith of the powers of your commissioner (a dupli-

* House Rep. No. 111, appendix, Fifteenth Congress, first session. See introduction, §§ 56 ff.

cate of which he has left in the hands of our ministry) have procured from our manufactories all what I have thought might be useful to you in your present situation, and I have begun to send supplies to you by the ship that carries this letter, with a brief account of what it contains for your use, as I expect to send you my invoices in good order, attested and signed by M. Deane, by another ship, that will carry you a fresh supply of ammunition, and the invoices of which I shall send by a third ship, and so for all the others.

But, gentlemen, however warm may be the zeal that animates me, my friends will never be sufficient to double and treble my advances, if on your side, you do not send me on my ships and on your own remittances in country produce in proportion as you receive my supplies.

What I call my ships, gentlemen, is some French vessels hired for freight, according to a bargain agreed to between a merchant and myself, in presence of M. Deane, for want of your own vessels, which we had been long expecting, but did not arrive. Here inclosed you have copy of the agreement.

Now, gentlemen, I beg you will send me my remittances either in excellent Virginia tobacco, or in indigo, rice, etc. My advances in this expedition must be soon followed by a second as considerable. It amounts to about one million tournois.

Deane to the Committee of Secret Correspondence.*

PARIS, December 3, 1776.

GENTLEMEN: My letters from Bordeaux and since, to which I have received no reply, will give you my situation, but lest some of them fail, I will briefly in this give you the history of my proceedings. Immediately on my arrival I sent forward your bills, a large part of which were protested; and intelligence arriving of the loss of Canada, and that Carleton was even on the frontiers of the Colonies, and at the same time the formidable armament gone and going over, made every one here give up the Colonies as subdued. To have tried for a credit under such circumstances would have been worse than useless; it would have been mortifying, as a refusal must have been the consequence. Mr. Delap generously offered to advance five or six thousand pounds, but when I considered it was already more than four months since you began to prepare for remitting, and that next to nothing was received, I really found myself embarrassed, and hoping every day for some relief, I suspended engaging and came up to Paris, having previously sent Mr. Morris's letter to his different correspondents, not one of which appeared inclinable to be concerned in a credit.

I sent —— to procure the goods in Amsterdam, if to be had,

* MSS. Dept. of State; 1 Sparks' Dip. Rev. Corr., 65, with verbal changes.

but found our credit worse there than in France. A gentleman here offered me a credit for a million of livres, but it was, when explained, on the following conditions: I must produce direct authority from the Congress, with their promise of interest; all American vessels must be sent to his address; and until this could be secured him I must provide a credit, or in other words a security, in Europe. Here you are sensible my negotiation ended. I then contracted for the supplies of the army, and crowded into the contract as large a proportion of woolens as I well could, sensible that with them you might do something, and hoping your remittances might still arrive, or some intelligence of the situation of your affairs; for I thought I judged rightly that, if in six or seven months you were unable to send out one-third the remittances, the returns must be equally difficult. On this ground I have been anxiously waiting to hear something from you. Meantime I shipped forty tons of saltpeter, two hundred thousand pounds of powder, via Martinique, one hundred barrels via Amsterdam. The late affairs at Long Island, of which we had intelligence in October, and the burning of New York, the report of Carleton's having crossed the lakes, and that you were negotiating has absolutely ruined our credit with the greater part of individuals; and finding so little prospect of completing the Indian goods, I have attended the closer to dispatch the supplies for the army, for which I had obtained a credit ostensibly from a private person, but really from a higher source. Meantime the moneys remitted are in Mr. Delap's hands, except what I have drawn out for my private expenses, for payment of the saltpeter, for the fitting out of Captain Morgan, and for the equipment of certain officers going to America. For the two hundred thousand weight of powder Mr. Delap is my surety; consequently, should he receive nothing more from you he will have no considerable balance in his hands. Could I have received but one-half the amount in any season I would have ventured on the goods long before this, but to what purpose would it have been could I have been credited the amount if you were unable to remit. The same obstruction must subsist against their arrival. I am, however, at last promised the goods on credit by the same way as the stores have been procured, and hope to ship them this month; but some of the articles are not manufactured anywhere in Europe except Great Britain, and others must be substituted in the best manner I can.

I have wrote to Mr. Delap to send you his account, also to send the particulars to me, which I will transmit as soon as received. The goods may be expected in the month of February; meantime I pray you, not on this account only but on others, to exert yourselves in remitting so much as to support the credit of the Continent, for which I am now engaged to a very great amount. Tobacco, rice, flour, indigo, peltry, oil, whale fins, flaxseed, spermaceti, masts and spars, etc., are in good demand; tobacco at nine to ten sous per pound, and rising, free of duty

or expense, save a commission; rice, thirty livres per hundred-weight; flour twenty-two to twenty-four livres.

I am, most respectfully, etc.,

SILAS DEANE.

P. S.—When I say tobacco is free of duty, I mean if sold to the Farmers-General directly; on other conditions it is inadmissible at any rate.

Deane to John Jay.*

PARIS, December 3, 1776.

DEAR JAY: If my letters arrive safe, they will give you some idea of my situation. Without intelligence, without orders, and without remittances, yet boldly plunging into contracts, engagements, and negotiations, hourly hoping that something will arrive from America. By General Coudray I send thirty thousand fusils, two hundred pieces of brass cannon, thirty mortars, four thousand tents, and clothing for thirty thousand men, with two hundred tons of gunpowder, lead, balls, etc., etc., by which you may judge we have some friends here. A war in Europe is inevitable. The eyes of all are on you, and the fear of your giving up or accommodating is the greatest obstacle I have to contend with. M. Beaumarchais has been my minister in effect, as this court is extremely cautious; and I now advise you to attend carefully to the articles sent you. I could not examine them here. I was promised they should be good, and at the lowest prices, and that from persons in such station that had I hesitated it might have ruined my affairs. But as in so large a contract there is room for imposition, my advice is that you send back to me samples of the articles sent you. Cannon, powder, mortars, &c., are articles known; but (send) clothes, the fusils, etc., by which any imposition may be detected. Large remittances are necessary for your credit; and the enormous price of tobacco, of rice, of flour, and many other articles, gives you an opportunity of making your remittances to very great advantage. Twenty thousand hogsheads of tobacco are wanted immediately for this kingdom, and more for other parts of Europe.

I have wrote you on several subjects, some of which I will attempt briefly to recapitulate. The destruction of the Newfoundland fishery may be effected by two or three of your frigates sent there early in February, and by that means a fatal blow given to Great Britain.—I mean by destroying the stages, boats, etc., and by bringing away the people left there as prisoners.† Glasgow, in Scotland, may be plundered and burnt with ease, as may Liverpool, by two or three frigates, which

* MSS. Dept. of State; 3 Force's Archives (5th series), 1051; 1 Sparks' Dip. Rev. Corr., 67, with omissions and verbal changes.

† See Deane to committee Nov. 27, 1776.

may find a shelter and protection in the ports of France and Spain afterwards. Blank commissions are wanted here to cruise under your flag against the British commerce. This is a capital stroke, and must bring on a war. Hasten them out, I pray you. France and Spain are friendly; and you will greatly oblige the latter by seizing the Portuguese commerce wherever it is found. I have had overtures from the King of Prussia in the commercial way, and have sent a person of great confidence to his court, with letters of introduction from his agent here, with whom I am on the best terms.* A loan may be obtained, if you make punctual remittances for the sums now advanced, for any sums at five per cent interest, perhaps less. The western lands ought to be held up to view as an encouragement for our soldiers, especially foreigners, and are a good fund to raise money on. You may, if you judge proper, have any number of German and Swiss troops; they have been offered me, but you know I have no proposals to treat. A number of frigates may be purchased at Leghorn, the great Duke of Tuscany being zealously in favor of America, and doing all in his power to encourage its commerce. Troubles are rising in Ireland, and with a little assistance much work may be cut out for Great Britain by sending from hence a few priests, a little money, and plenty of arms. *Omnia tentanda* is my motto; therefore I hint the playing their own game on them, by spiriting up the Caribs in St. Vincent's and the negroes in Jamaica to revolt.

On all these subjects I have written to you; also on various particulars of commerce. Our vessels have more liberty in the ports of France and Spain and Tuscany than the vessels of any other nation, and that openly. I presented the Declaration of Independence to this court, after it had, indeed, become an old story in every part of Europe. It

* The following passage from Suffolk's instructions to Harris, January 9, 1778 is omitted in the instructions as given in the Malmesbury Papers, and substantiates Deane's statement.

"The King of Prussia, from motives known only within the cabinet of Potsdam (unless, indeed, they have found their place in the correspondence, which there is not much reason to believe he has actually had in his own handwriting with Messrs. Deane and Franklyn) (*sic*) takes the most unfriendly part; not content with his late disobliging refusal of passage to the German recruits and baggage through his territories, and his endeavors to hurt our credit as a commercial people, he is secretly exciting the Bourbon courts to hostile steps against that kingdom, to whose liberal support in the last war he owes his present existence amongst the powers of Europe." (Bancroft MSS.)

Whether it was from the mismanagement of Arthur Lee, when he took the negotiations with Prussia in hand, or from a subsequent change of policy on the part of Frederick, these prospects of alliance were not realized. (Schulenberg to A. Lee, June 29, November 28, 1777.)

It may have been that Prussia, like Russia, was looking forward to neutral trade, which would be destroyed if, by entering into a treaty with America, she became involved in the contest as a belligerent. There was no treaty with Prussia until 1785.

See more fully, *supra*, §§ 90, 91.

was well received; but as you say you have articles of alliance under consideration, any resolution must be deferred until we know what they are. The want of intelligence has more than once well-nigh ruined my affairs. Pray be more attentive to this important subject, or drop at once all thoughts of a foreign connection.

[I must mention some trifles. The queen is fond of parade, and I believe wishes a war, and is our friend. She loves riding on horseback. Could you send me a narrowhegansett horse or two; the present might be money exceedingly well laid out. Rittenhouse's orrery, or Arnold's collection of insects, a phaeton of American make and a pair of bay horses, a few barrels of apples, of walnuts, of butternuts, etc., would be great curiosities here, where everything American is gazed at, and where the American contest engages the attention of all ages, ranks, and sexes.]*

Had I ten ships here, I could fill them all with passengers for America. I hope the officers sent will be agreeable; they were recommended by the ministry here, and are at this instant really in their army, but this must be a secret. Do you want heavy iron canon, sea officers of distinction, or ships? Your special orders will enable me to procure them. For the situation of affairs in England, refer you to Mr. Rogers, aid-de-camp to Monsieur du Coudray. I have presented a number of memoirs, which have been very favorably received, and the last by his majesty, but my being wholly destitute of other than accidental and gratuitous assistance will not permit my sending you copies. Indeed, I was obliged to make them so to explain the rise, the nature, and the progress of the dispute. I have been assured by the ministers that I have thrown much light on the subject, and have obviated many difficulties, but his majesty is not of the disposition of his great-grandfather, Louis XIV. If he were, England would soon be ruined. Do not forget or omit sending me blank commissions for privateers; under these infinite damage may be done to the British commerce, and as the prizes must be sent to you for condemnation, the eventual profits will remain with you.

[Tell Mrs. Trist that her husband and Captain Fowler were well the 16th instant. I had a letter from the latter. Pray be careful who you trust in Europe. One Williamson, a native of Pennsylvania, is here as a spy, yet I believe he corresponds with very good people on your side of the water. The villain returns to London once in about six weeks to discharge his budget.]†

Dr. Bancroft‡ has been of very great service to me; no man has

* The passage in brackets is omitted in Sparks' reprint. See *supra*, Deane to committee, Nov. 28, 1776.

† Passage in brackets omitted by Sparks. The baselessness of the suspicions of Williamson has been already stated.

‡ See index, title Bancroft.

better intelligence in England, in my opinion; but it costs something.

The following articles have been shown to me; they have been seen by both the courts of France and Spain, and I send them to you for speculation:

"1st. The thirteen United Colonies, now known by the name of the thirteen United States of North America, shall be acknowledged by France and Spain, and treated with as independent States, and as such shall be guarantied in the possession of all that part of the continent of North America which by the last treaty of peace was ceded and confirmed to the crown of Great Britain.

"2d. The United States shall guaranty and confirm to the crowns of France and Spain all and singular their possessions and claims in every other part of America, whether north or south of the equator, and of the islands possessed by them in the American seas.

"3d. Should France or Spain, either or both of them, possess themselves of the islands in the West Indies now in posession of the crown of Great Britain (as an indemnity for the injuries sustained in the last war, in consequence of its being commenced on the part of Great Britain in violation of the laws of nations), the United Colonies shall assist the said powers in obtaining such satisfaction and guaranty, and confirm to them the possession of such acquisition.

"4th. The fisheries on the banks of Newfoundland, of Cape Breton, and parts adjacent, commonly known and called by the name of the cod fishery, shall be equally free to the subjects of France, Spain, and the United States respectively, and they shall mutually engage to protect and defend each other in such commerce.

"5th. The more effectually to preserve this alliance, and to obtain the great object, it shall be agreed that every and any British ship or vessel found or met with on the coasts of North America, of South America, or of the islands adjacent and belonging thereto, at within a certain degree or distance to be agreed on, shall be forever hereafter considered as a lawful prize to any of the subjects of France, Spain, or the United Colonies, and treated as such, as well in peace as in war, nor shall France, Spain, or the United Colonies ever hereafter admit British ships into any of their ports in America, North and South, or the islands adjacent. This article never to be altered or dispensed with but only by and with the consent of each of the three contracting states.

"6th. During the present war between the United States and Great Britain, France and Spain shall send into North America, and support there, a fleet to defend and protect the coasts and the commerce of the United States, in consequence of which, if the possessions of France or Spain should be attacked in America by Great Britain or her allies, the United States will afford them all that aid and assistance in their power.

"7th. No peace or accommodation shall be made with Great Britain to the infringement or violation of any one of these articles."*

I am, with the utmost impatience to hear from you, dear sir, yours,
etc.,

SILAS DEANE.

Franklin to Deane.†

AURAY IN BRITTANY, December 4, 1776.

I have just arrived on board the *Reprisal*, Captain Wickes, a small vessel of war belonging to Congress. We are in Quiberon Bay, awaiting a favorable wind to go on to Nantes. We left the cape the 29th of

* To this letter the following note is appended by Sparks:

"From the manner in which Mr. Deane introduces these articles it does not appear in what source they originated. From the following sketch, which was prepared some time before this letter was written to Mr. Jay, it is evident that the project was first proposed by Mr. Deane himself:

"Outline of a treaty between France and Spain and the United States, drawn up by Silas Deane, and presented to the Count Vergennes, in his private capacity, November 23, 1776.

"1. Independence to be recognized.

"2. The United States to guaranty and confirm to France and Spain all their possessions in North America and the West India Islands.

"3. Should France or Spain gain possession of any of the West India Islands (as an indemnity for the injuries sustained by them in the last war, in consequence of its being commenced on the part of Great Britain in violation of the laws of nations), the United States to assist the said powers in gaining satisfaction and in retaining possession of such acquisitions.

"4. The fisheries on the banks of Newfoundland to be enjoyed equally between the three contracting powers to the exclusion of all other nations.

"5. The regulations of commerce to be reciprocal.

"6. Any British vessel found or met with on the coast of North or South America, or the islands adjacent or belonging thereto, *within a certain degree or distance to be agreed on*, shall be forever hereafter considered as lawful prize to any of the subjects of France, Spain, or the United States, and treated as such as well in peace as in war; nor shall France, Spain, or the United States ever hereafter admit British ships into any of their ports in America, North or South, or the islands adjacent, nor shall this article ever be altered or dispensed with but only by and with the consent of each of the three contracting states.

"7. During the present war, France and Spain to send fleets into the seas of the United States to defend them from the British; and should the possessions of France or Spain in America be attacked, the United States to lend such aids as they can for their defense.

"8. No peace to be made with Great Britain by either of the contracting parties to the infringement or violation of any one of these articles."

† 6 Bigelow's Franklin, 34.

"This letter is translated from a copy in French in the Archives des affaires étrangères at Paris. Four days after this letter was dispatched Mr. Deane addressed the following note to M. de Vergennes:

"PARIS, December 8, 1776.

"SIR: I received last evening a letter from my friend Dr. Franklin, at Nantes, which place he was to leave last Sunday morning, so that I expect him in Paris this

October, and have been but thirty days from land to land. I remained on board three days after we dropped anchor, hoping to be able to go up to Nantes in our ship, but, the wind continuing unfavorable, I came here to go on by land to Nantes.

Congress in September named you, Mr. Jefferson, and myself, to negotiate a treaty of commerce and friendship with the court of France. Mr. Jefferson, then in Virginia, declined. Thereupon Mr. Arthur Lee, at present in London, was named in his place. Our vessel has brought indigo for the account of Congress to the value of about £3,000 sterling, subject to our order to meet our expenses. Congress has appropriated, in addition, £7,000 for the same object, which the committee will transmit as soon as possible.

I find myself here as near to Paris as I shall be at Nantes, but I am obliged to go there to provide myself with money for my journey, and to get my baggage, which was left on the ship. I shall endeavor to join you as soon as possible. I propose to retain my *incognito* until I ascertain whether the court will receive ministers from the United States. I have several letters for you from the committee, which I do not send forward because I know they contain matters of consequence, and I am not certain of their safety in that way. Besides, as I intend to take the post at Nantes, I imagine it will make but three or four days' difference. We fell in with two brigantines at sea, one Irish and the other English, which we captured and brought into Nantes.

I do not know that the captain can get permission to sell them here, as that would be in contradiction of the treaties between the two crowns. They are worth about £4,000. We have had a tedious passage, and I am weak, but hope that the good air which I breathe on land will soon

day or early to-morrow. Meantime I have and shall carefully attend to the hint given me, and am confident he will do the same.

"His arrival is the common topic of conversation, and has given birth to a thousand conjectures and reports, not one of which I have given ground for, having constantly declared that I am ignorant of the motives of his voyage.

"I have the honor, etc.,

"SILAS DEANE."

"Deane, writing to the committee of secret correspondence on December 12, after mentioning the receipt of Dr. Franklin's letter announcing his arrival at Nantes, adds:

"Nothing has for a long time created greater speculation than this event, and our friends here are elated beyond measure, as this confirms them you will not negotiate with England; and for me, I will not attempt to express the pleasure I feel on this occasion, as it removes at once difficulties under which I have been constantly in danger of sinking." (1 Sparks' Dip. Rev. Corr., 101.)

"The hint referred to in Deane's letter to Vergennes, to which he had attended and expected Franklin to attend to, was probably given him by Vergennes at their first interview, when Vergennes told that the British ambassador (Stormont) knew of his (Deane's) arrival, and he therefore advised him not to associate with Englishmen more than he was obliged to, as he doubted not Deane would have many spies on his conduct." (6 Bigelow's Franklin, 36, n.)

re establish me, that I may travel with speed to join you in Paris, and there find you in good health.

P. S.—If you could find some means to notify Mr. Lee of his nomination it would be well to do so. Perhaps the best way would be through the department of foreign affairs and the French ambassador. The regular post would not be safe. I beg you to procure lodgings for me.

Deane to the Committee of Secret Correspondence.*

PARIS, December 6, 1776.

GENTLEMEN: You have inclosed duplicate of agreement with Monsieur du Coudray of my orders for clothing, stores, etc., of my agreement with Baron De Kalb and others of his train; also with the Comte de Monau and his, which I hope will be agreeable; *also the agreement for freight of the ships*, which I was assured by letters from Bordeaux and elsewhere was as low as could be procured. At the same time, if it is above the stated price, in such cases I am promised an abatement. I hope the peculiarity of my situation, and the auxious desire I have of forwarding aid to my country, will be considered if any of the articles are thought high. Men can not be engaged to quit their native country and friends to hazard life and all in a cause which is not their own immediately at the same easy rate as men will do who are fighting literally *pro aris et focis*, and it is a universal custom in Europe to allow something extra to foreigners; but my allowances are very much below the rates here for officers in the same station.

[I submit one thought to you, whether if you could engage a great general of the highest character in Europe, such for instance as Prince Ferdinand, Marshal Broglie or others of equal rank, to take the lead of your armies, whether such a step would not be politic, as it would give a character and credit to your military, and strike perhaps a greater panic in our enemies. I only suggest the thought, and leave you to confer with the Baron de Kalb on the subject at large.]†

I have the honor to be, with the most profound respect for the Congress, etc.,

SILAS DEANE.

* MSS. Dept. of State; 1 Sparks' Dip. Rev. Corr., 72, with omissions and verbal changes.

†The omission by Sparks of the important passage in brackets can only be explained on the assumption that it was not politic at the time to disclose the fact it states. It is now, however, well known that the name of Prince Ferdinand was introduced by Deane merely as a feint, and that the whole object of Kalb's mission to the United States was to obtain the appointment of Count (not "Marshal") Broglie at the head of the American armies in the place of Washington. That Kalb, when he entered into Washington's presence, and became acquainted with the conditions of the war, abandoned the plan and informed his principals in Europe of its futility, so far from being a reason why Deane's action in this respect should be suppressed, leads to the

List of Officers of Infantry and Light Troops Destined to Serve the United States of North America.

Name of officers.	Rank.	Commencement of their pay.
Baron de Kalb	Major-general	Nov. 7, 1776.
Viscount de Mauroy .....	...do	Nov. 20, 1776.
De Senneville	Major	Nov. 7, 1776.
The Chevalier du Buyssons .....	...do	Do.
The Chevalier de Fayoles	Lieutenant-colonel	Nov. 20, 1776.
Dubois Martin	Major	Do.
De Holtzendorff	Lieutenant-colonel	Nov. 26, 1776.
The Chevalier de Failly .....	...do	Dec. 1, 1776.
Amariton	Major	Do.
De Roth	Captain	Do.
De Gerard .....	...do	Do.
Philis de Roseval	Lieutenant	Do.
De Montis .....	...do	Do.
Loquet de Granges .....	...do	Do.
De Vrigny	Captain company franche	Do.
Candon	Lieutenant	Do.

The said ranks and pay at the dates marked in the present list have been settled mutually between us, the undersigned, me, Silas Deane, in my quality of deputy of the most honorable Congress of the United States of North America, and me, John Baron de Kalb, major-general in the service of the States-General.

Done double at Paris this 1st of December, 1776.

DE KALB.
SILAS DEANE.

opposite conclusion, since there is no more striking tribute to the surpassing merit of Washington than that so accomplished an officer and acute an observer as Kalb should, in view of that merit, abandon the scheme of foreign generalship which he had been sent to promote, and of which he had been an enthusiastic advocate.

With this passage is to be compared a passage on the same topic in Arthur Lee's letter to "Colden" of February 13, 1776, given *supra*, p. 74, and with the notes as to Broglie, given in the introduction, §§ 76 ff.

Ferdinand Duke of Brunswick (the Prince Ferdinand above noticed) was born in 1721, and served under Frederick the Great in both Silesian wars. In 1750 he became general and governor of Magdeburg, and reached high command in the Seven Years' War. Nominated by George III to the command of the allied troops, with marked skill he maintained for more than five years a vigorous defensive position with a comparatively small and heterogeneous body of troops against the French and imperial forces. In 1766, after the peace, his relations to Frederick became dulled, and he withdrew from the army and returned to Brunswick.

He was deficient, however, in both political and business sagacity, and in the later years of his life was said to have become much interested in the school of the mystics, or "illuminés," who then attracted much public attention in Germany. According to Wraxall (1 Hist. Mem., 174), "they reduced his mind to a degree of imbecility which could only excite compassion. It will hardly be believed that before the year 1773 he was so subjugated by them as frequently to pass many hours of the night in church-yards, engaged in evoking and attempting to raise apparitions. They prac-

**List of Officers of Infantry and Light Troops Destined to Serve in the Armies
of the States General of North America.**

Name of officers.	Rank.	Commence- ment of their pay.
M. de la Fayette.....	Major-general.....	Dec. 7, 1776.
Baron de Kalb.....	...do.....	Nov. 7, 1776.
Delessier.....	Colonel.....	Dec. 7, 1776.
De Valfort.....	...do.....	Do.
De Fayols	Lieutenant-colonel.....	Nov. 20, 1776.
De Franval.....	...do.....	Dec. 1, 1776.
Dubois Martin.....	Major.....	Nov. 7, 1776.
De Gimat.....	...do.....	Dec. 1, 1776.
De Vrigny.....	Captain.....	Do.
De Bedaux.....		
Capitaine.....	Captain.....	Dec. 1, 1776.
De la Colombe	Lieutenant	Do.
Candon .....	...do.....	Nov. 7, 1776.

The mentioned ranks and the pay which the most honorable Congress shall affix to them, to commence at the periods marked in the present list, have been agreed to by us the undersigned, Silas Deane, in quality of deputy of the American States General, on the one part, the Marquis de la Fayette and the Baron de Kalb on the other part.

Signed double at Paris this 7th of December, 1776.

DE KALB.

THE MARQUIS DE LA FAYETTE.

SILAS DEANE.

The desire which the Marquis de la Fayette shows of serving among the troops of the United States of North America, and the interest which he takes in the justice of their cause, make him wish to distinguish himself in this war, and to render himself as useful as he possibly can; but not thinking that he can obtain leave of his family to pass the seas and serve in a foreign country till he can go as a general officer,

ticed successfully on his credulity, making him conceive that he beheld spectres or aerial forms. These occupations, which afforded proof of intellectual decline, having impelled the great Frederick, whose sound understanding despised the 'illuminés,' to dismiss Prince Ferdinand from his situation in the Prussian service, he then retired to Magdeburg, of the chapter of which secularized archbishopric he was dean."

Wraxall's statements, however, in this as in other matters, are to be taken with much allowance. In the notices given of Ferdinand in the Conversations Lexicon, these extravagances are not reported, and it is said that in his retirement Prince Ferdinand was a zealous Free Mason, a patron of music and of painting and a benefactor of the poor. His fondness for French literature and French art and French politics brought him in his later years in close connection with men eminent in French society, which, with his military eminence, may suggest the mention of his name as commander-in-chief. He died in 1792.

The suggestion from a European stand-point with the popular notions of America then prevailing in Europe was no more strange than was the sending over of Maximilian with leading French generals to Mexico by Louis Napoleon.

I have thought I could not better serve my country, and those who have intrusted me, than by granting to him, in the name of the very honorable Congress, the rank of major general, which I beg the States to confirm to him, to ratify, and deliver to him the commission to hold and take rank, to count from this day, with the general officers of the same degree. His high birth, his alliances, the great dignities which his family hold at this court, his considerable estates in this realm, his personal merit, his reputation, his disinterestedness, and, above all, his zeal for the liberty of our provinces, are such as have only been able to engage me to promise him the rank of major-general in the name of the United States.

In witness of which I have signed the present this 7th of December, 1776.

SILAS DEANE,
Agent for the United States of America.

On the conditions here explained I offer myself, and promise to depart when and how Mr. Deane shall judge proper, to serve the United States with all possible zeal, without any pension or particular allowance, reserving to myself the liberty of returning to Europe when my family or my king shall recall me.

Done at Paris this 7th of December, 1776.

THE MARQUIS DE LA FAYETTE.*

Franklin to John Hancock President of Congress.†

NANTES, December 8, 1776.

SIR : In thirty days after we left the Capes of Delaware we came to an anchor in Quiberon Bay. I remained on board four days, expecting a change of wind proper to carry the ship into the river Loire; but the wind seemed fixed in an opposite quarter. I landed at Auray, and with some difficulty got hither, the road not being well supplied with means of conveyance. Two days before we saw land we met a brigantine from Bordeaux belonging to Cork, and another from Rochefort belonging to Hull, both of which were taken. The first had on board staves, tar, turpentine, and claret; the other cogniac brandy and flaxseed. There is some difficulty in determining what to do with them, as they are scarce worth sending to America, and the mind of the French court with regard to prizes brought into their ports is not yet known. It is certainly contrary to their treaties with Britain to permit the sale of them, and we have no regular means of trying and condemning them. There are, however, many here who would purchase prizes we having already had several offers from persons who are willing to take upon

* See index, La Fayette.

† MSS. Dept. of State; 2 Sparks' Dip. Rev. Corr., 5; 6 Bigelow's Franklin, 38.

themselves all consequences as to the illegality. Captain Wickes, as soon as he can get his refreshment, intends to cruise in the channel.

Our friends in France have been a good deal dejected with the gazette accounts of advantages obtained against us by the British troops. I have helped them here to recover their spirits a little, by assuring them that we still face the enemy, and were under no apprehension of their armies being able to complete their junction. I understand that Mr. Lee has lately been in Paris, that Mr. Deane is still there, and that an underhand supply is obtained from the government of two hundred brass field pieces, thirty thousand firelocks, and some other military stores, which are now shipping for America, and will be convoyed by a ship of war. The court of England (Mr. Penet tells me, from whom I have the above intelligence) had the folly to demand Mr. Deane to be delivered up, but were refused.

Our voyage, though not long, was rough, and I feel myself weakened by it, but I now recover strength daily, and in a few days shall be able to undertake the journey to Paris. I have not yet taken any public character, thinking it prudent first to know whether the court is ready and willing to receive ministers publicly from the Congress, that we may neither embarrass her on the one hand, nor subject ourselves to the hazard of a disgraceful refusal on the other. I have dispatched an express to Mr. Deane with the letters that I had for him from the committee and a copy of our commission, that he may immediately make the proper inquiries and give me information. In the mean time I find it generally supposed here that I am sent to negotiate, and that opinion appears to give great pleasure, if I can judge by the extreme civilities I meet with from numbers of the principal people who have done me the honor to visit me.

I have desired Mr. Deane, by some speedy and safe means, to give Mr. Lee notice of his appointment. I find several vessels here laden with military stores for America just ready to sail. On the whole, there is the greatest prospect that we shall be well provided for another campaign, and much stronger than we were last. A Spanish fleet has sailed with seven thousand land forces, foot, and some horse; their destination unknown, but supposed against the Portuguese in Brazil. Both France and England are preparing strong fleets, and it is said that all the powers of Europe are preparing for war, apprehending that a general one can not be very far distant. When I arrive at Paris I shall be able to write with more certainty. I beg you to present my duty to Congress, and assure them of my most faithful endeavors in their service.

With the sincerest esteem and respect, I have the honor to be, etc.,
B. FRANKLIN.

Franklin to the Committee of Secret Correspondence.*

NANTES, December 8, 1776.

GENTLEMEN: After a short but rough passage of thirty days we anchored in Quiberon Bay, the wind not suiting to enter the Loire. Captain Wickes† did everything in his power to make the voyage comfortable to me; and I was much pleased with what I saw of his conduct as an officer when, on supposed occasions, we made preparation for engagement, the good order and readiness with which it was done being far beyond my expectations, and I believe equal to anything of the kind in the best ships of the king's fleet. He seems to have also a very good set of officers under him. I hope they will all in good time be promoted. He met and took two prizes (brigantines) one belonging to Cork, laden with staves, pitch, tar, turpentine, and claret; the other to Hull, with a cargo of flaxseed and brandy. The captains have made some propositions of ransom which perhaps may be accepted, as there is yet no means of condemning them here and they are scarce worth sending to America. The ship is yet in Quiberon Bay with her prizes. I came hither from thence, seventy miles, by land. I am made extremely welcome here, where America has many friends. As soon as I have recovered strength enough for the journey, which I hope will be in a very few days, I shall set out for Paris. My letter to the President will inform you of some other particulars.

With great esteem, I have the honor to be, etc.,

B. FRANKLIN.

P. S.—December 10. I have just learnt that eighty pieces of cannon, all brass, with carriages, braces, and everything fit for immediate service, were embarked in a frigate from Havre, which is sailed; the rest were to go in another frigate of thirty-six guns.

Deane to Vergennes.†

PARIS, December 8, 1776.

SIR: I received last evening a letter from my friend Dr. Franklin, at Nantes, which place he was to leave last Sunday morning, so that I expect him in Paris this day or early to-morrow. Meantime I have and shall carefully attend to the hint given me, and am confident he will do the same. His arrival is the common topic of conversation, and has given birth to a thousand conjectures and reports, not one of which I have given ground for, having constantly declared that I am ignorant of the motives of his voyage or his business.

I have the honor to be, etc.,

SILAS DEANE.

* MSS. Dept. of State; 2 Sparks' Dip. Rev. Corr., 7; 6 Bigelow's Franklin, 41.

† See index, title Wickes.

‡ 1 Sparks' Dip. Rev. Corr., 75.

Deane to the Committee of Secret Correspondence.*

PARIS, December 12, 1776.

GENTLEMEN: Just as I had closed my dispatches by the Generals du Coudray and Baron de Kalb I was most agreeably surprised with a letter from Dr. Franklin, at Nantes, where he arrived after thirty days' passage, with two prizes. I hourly expect him here, but knowing of his arrival, I dispatch this with a duplicate to Havre de Grace, to go by the ships sailing thence, and have only time to inform you that I sent an express instantly to Mr. Lee to join us here without delay, for the news of Mr. Franklin's arrival may occasion his friends being forbid coming from London to France. Nothing has for a long time occasioned greater speculation than this event, and our friends here are elated beyond measure, as this confirms them you will not negotiate with England; and for me I will not attempt to express the pleasure I feel on this occasion, as it removes at once difficulties under which I have been constantly in danger of sinking. I may not add, as I shall miss the post, but am, with the most grateful and respectful compliments to the honorable Congress, etc.,

SILAS DEANE.

P. S.—The King of Portugal is dead. The Comte Grimaldi, prime minister of Spain, has resigned, which will tend to accelerate a rupture in Europe, which I think unavoidable.†

Deane to Dumas.‡

PARIS, December 13, 1776.

DEAR SIR: I am indebted for two letters, and the same cause of my neglect, viz., a hurry of business still subsisting, I can not make amends by a long letter in this, but the substance will be agreeable, which is, that Dr. Franklin is arrived at Nantes and I expect him at Paris tomorrow. He left Philadelphia the last of October and everything was favorable in America. On his passage the ship he was in made two prizes on this coast. I received a letter from my venerable friend on his landing, who was in high spirits and good health. Here is the hero and philosopher and patriot all united in this celebrated American, who at the age of seventy-four risks all dangers for his country. I know your heart rejoices with me on this occasion.

I am, with respect, etc.,

SILAS DEANE.

* MSS. Dept. of State; 3 Force's Archives, 5th series, 1179; 1 Sparks' Dip. Rev. Corr., 75, with verbal changes.

† See introduction, § 86.

‡ 5 Sparks' Dip. Rev. Corr., 222.

Dœane to Dumas.*

WITHOUT DATE. [December, 1776.?]

DEAR SIR: I am still indebted to you for your favors of the 29th ultimo and the 15th instant, to which I should earlier have replied but for a slight indisposition and much chagrin at some unfavorable news. However, I am recovering in health, with which my spirits return, and I keep ever in my mind the motto, *de republica nil desperandum*. I counted the cost when I entered the lists, and balanced private fortune, ease, leisure, the sweets of domestic society, and life itself in vain against the liberties of my country; the latter instantly predominated, and I have nothing to complain of, though much to grieve at, occasioned by the miscarriage or delay of my full powers for open and public application. I sent you a memoir on American commerce, and wish to know your sentiments on that subject. The vessel detained at Bilboa has been dismissed, and the commissary reprimanded for her detention and ordered to lend the captain every assistance he needed. This is a great point gained. I must suspend saying anything on the proposals of officers for entering the service of the American States, as also anything further on the other artists I wrote about, until I receive intelligence which I hourly have long expected, and which I think can not possibly be far off, as I dispatched a vessel early in September express, with an account of my situation and that of affairs here; besides, a war is evidently at hand here in Europe.

Mr. Carmichael† warmly described the kind reception you gave him and your zeal for the interest of the United States and friendship for me, which he might have spared, as every one of your letters demonstrates the sincerity and disinterestedness of your friendship, as well for my country as for myself; and as you value your being the first plenipotentiary of the American States, I equally value myself on your friendship and correspondence in the part I have the honor of acting with you in this important scene, and I am happy to think that to the present or coming actors in or spectators of the foundation and rise of this State in a new world our correspondence will show that our sentiments ever coincided. Be not discouraged, my dear friend, America must come off in the end triumphant, and under new and unprecedented laws, liberty, and commerce be the happy asylum for the sons of men in future ages. Whatsoever disappointments I may meet with I never will despair of my country, for which I shall count it my glory to suffer all things, if it receive any advantage therefrom, and if not, I shall at least enjoy the pleasure, the inalienable pleasure, resulting from a consciousness of having done all in my power for its happiness and connectedly for the happiness of mankind in general.

The temper of the times is in favor of America, and it is now as fresh and striking an object to Europe as when first discovered and called

* 5 Sparks' Dip. Rev. Corr., 220.

† See index, title Carmichael.

the New World. It is among my principal mortifications that I can not have a few days' at least personal conversation with you; but the situation of affairs here will not allow of a moment's absence, which Mr. Carmichael, I doubt not, explained to you. With persons in public or private who are friendly, yet equally apprehensive of consequences, willing to aid, yet timid, and at the same time not well acquainted and informed, the task, you are sensible, is as laborious as delicate, and at a time when events bear down arguments, one can not be released a moment from the closest attention to everything rising, real or imaginary. Your lady's kind preparations for me Mr. Carmichael most affectionately mentioned, and I will, life permitting, the moment I can quit Paris, in person acknowledge, as far as words are capable of expressing, how sensible I am of this more than hospitable kindness, since to provide for and receive the stranger on arrival is the duty of hospitality, but here is a work of supererogation, and though no Roman Catholic myself, yet so catholic as not the less to love and esteem generous actions on all occasions. My most respectful and affectionate regards, with my ardent wishes for your mutual felicity, attend you.

I am, etc.,

SILAS DEANE.

P. S.—Pray for what sum per annum can a young man be educated at Leyden, adhering to the strictest economy?

Harrison et al., Committee of Secret Correspondence, to Franklin, Deane, and Arthur Lee, commissioners at Paris.*

BALTIMORE, December 21, 1776.

GENTLEMEN: After expressing our hopes that this will find you all three safely fixed at Paris, we proceed with pleasure to acknowledge the receipt of Mr. Deane's letter of the 1st of October. When we reflect on the character and views of the court of London, it ceases to be a wonder that the British ambassador, and all other British agents,

* MSS. Dept. of State; 1 Sparks' Dip. Rev. Corr., 165, with verbal changes.

Commissioners were appointed by Congress for transacting the business of the United States at the court of France on the 26th of September, 1776. The persons chosen were Benjamin Franklin, Silas Deane, and Thomas Jefferson. On the 22d of October, Arthur Lee was elected in the place of Mr. Jefferson, who declined accepting the appointment. These three commissioners met in Paris about the middle of December, where they continued to reside, chiefly employed in procuring military supplies and money for the United States, till they signed the treaty of alliance, February 6, 1778. They were presented to the king as representatives of an independent State on the 20th of March. Silas Deane being recalled, John Adams was elected to supply his place November 28, 1777. Dr. Franklin was appointed minister plenipotentiary to the court of France September 14, 1778, at which time the commission was dissolved.

"For the instructions to the commissioners, and the plan of a treaty which they were directed to lay before the French ministry, see secret journals of Congress, vol. 2, pp. 7, 27, 38."—SPARKS.

should employ every means that tended to prevent European powers, and France more especially, from giving America aid in this war. Prospects of accommodation, it is well known, would effectually prevent foreign interference; and therefore, without one serious design of accommodating on any principles but the absolute submission of America, the delusive idea of conciliation has been industriously suggested on both sides of the water, that, under cover of this dividing and aid-withholding prospect, the vast British force sent to America might have the fairest chance of succeeding; and this policy has, in fact, done considerable injury to the United States, as we shall presently show by a just detail of this campaign, for it is not yet ended.

You know, gentlemen, that, at the moment a potent land and marine force was preparing to be sent hither, an act was passed for appointing commissioners, who, too many expected, were to give peace to America. As, therefore, the war might be soon concluded, so were our military arrangements accommodated, and the troops taken into service the last spring, consisting of regular corps and bodies of militia, were all engaged for short periods. With these the campaign began in various parts of North America. Dr. Franklin is so well acquainted with the progress of the war in Canada, previous to his departure, that we need only observe, the campaign has ended as favorably for us in that quarter as we could reasonably expect. The enemy, having been able to pierce no farther than Crown Point, after a short stay, and reconnoitering General Gates' army at Ticonderoga, thought proper to recross the lake, and leave us in quiet possession of those passes. General Gates, having left a proper force at Ticonderoga and on the communication, retired with the rest of his troops. New York and its neighborhood, not being defensible by an army singly against a strong land and sea force acting in conjunction, was of necessity yielded to the enemy after some contest, General Washington retiring, until the situation of the country above King's Bridge no longer enabled the enemy to receive aid from their ships.

General Howe having stopped here and General Carleton at Crown Point effectually disappointed the great object of joining the two armies. The latter, as we have said, returning to Canada, and the former retreating from the White Plains towards New York, gave us a favorable prospect of seeing a happy end put to this dangerous campaign, however many causes have concurred in producing an unlucky reverse of fortune, such as the nature of the country, the uncommon fineness of the weather even to this day, and, above all, the short enlistments, which gave the soldiery an opportunity of going home, tired as they were with the operations of an active summer.

When General Howe retreated from the White Plains he halted his whole army on the North River, between Dobbs' Ferry and King's Bridge, where he remained for some time. Having effected so little of the great business that brought him here, and the season allowing him

time for it, most men were of opinion that the next attempt would be to get possession of Philadelphia by a forced march through the Jerseys, whilst a fleet should be sent up the Delaware to facilitate the enterprise. To guard against such a maneuver, General Washington crossed the North River with all the battalions that had been raised to the westward of it, leaving General Lee, with the eastern troops, to guard the pass of the Highlands on Hudson River. In this situation of things General Howe made a sudden attack upon Fort Washington with the greatest part of his army, and carried it with considerable loss. There he made nearly three thousand of our men prisoners. By this event it became unnecessary longer to hold Fort Lee, or Fort Constitution as it was formerly called, which is on the west side of the North River, nearly opposite Fort Washington. It had therefore been determined to abandon Fort Lee; but before the stores could be all removed the enemy came suddenly upon it and the garrison retreated, leaving some of their baggage and stores behind.

About this time General Howe became possessed of a letter (by the agency of some wicked person, who contrived to get it from the express) written by General Washington to the board of war, in which he had given an exact account when the time of service of all our battalions would expire, and his apprehensions that the men would not re-enlist without first going home to see their families and friends. Possessed of this intelligence, the opportunity was carefully watched, and a vigorous impression actually made at the very crisis when our army in the Jerseys was reduced to three thousand men by the retiring of numbers and the sickness of others, and before militia could, in this extensive country, be brought up to supply their places. The enemy marched rapidly on through the Jerseys, whilst our feeble army was obliged to retreat from post to post until it crossed the Delaware at Trenton, where about two thousand five hundred militia from the city of Philadelphia joined the general.

Since General Howe's arrival on the borders of the Delaware various maneuvers and stratagems have been practiced to effect a passage over the river, but they have hitherto failed. General Washington's small army is placed along the west side of the Delaware to within fourteen miles of Philadelphia, from above Coryell's Ferry, which, with the gondolas, one frigate of thirty-two guns, and other armed vessels in the river above the chevaux-de-frize, cover the passage of it. General Lee (who had crossed the North River with as many of the eastern troops as could be spared from the defense of the Highlands, either to join General Washington or to act on the enemy's rear, as occasion might point out), was the other day surprised and made prisoner by a party of seventy light horse, who found him in a house a few miles in the rear of his army, with his domestics only. This loss, though great, will in some degree be repaired for the present by General Gates, who, we understand, has joined the army commanded by General Lee, and who,

we have reason to think, has by this time effected a junction of his force with that of General Washington.

As the militia are marching from various quarters to re-enforce the general, if the enemy do not quickly accomplish their wishes of possessing Philadelphia we hope not only to save that city, but to see General Howe retreat as fast as he advanced through the Jerseys. General Clinton, with a fleet, in which it is said he carried eight thousand men, has gone from New York through the sound, some suppose for Rhode Island, but neither his destination nor its consequences are yet certainly known to us.

Thus, gentlemen, we have given you a true detail of the progress and present state of our affairs, which, although not in so good a posture as they were two months ago, are by no means in so bad a way as the emissaries of the British court will undoubtedly represent them. If the great land and sea force with which we have been attacked be compared with the feeble state in which the commencement of this war found us with respect to military stores of all kinds, soldiers, clothing, navy, and regular force, and if the infinite art be considered with which Great Britain has endeavored to prevent our getting these necessities from foreign parts, which has in part prevailed, the wonder will rather be that our enemies have made so little progress than that they have made so much.

All views of accommodation with Great Britain but on principles of peace as independent States and in a manner perfectly consistent with the treaties our commissioners may make with foreign states being totally at an end since the declaration of independence and the embassy to the court of France, Congress have directed the raising of ninety-four battalions of infantry, with some cavalry; thirteen frigates, from twenty-four to thirty-six guns, are already launched and fitting, and two ships of the line, with five more frigates, are ordered to be put on the stocks. We hear the levies are going on well in the different States. Until the new army is collected the militia must curb the enemy's progress. The very considerable force that Great Britain has already in North America, the possibility of recruiting it here within their own quarters by force and fraud together, added to the re-enforcements that may be sent from Europe and the difficulty of finding funds in the present depressed state of American commerce, all conspire to prove uncontestedly that if France desires to preclude the possibility of North America being ever reunited with Great Britain, now is the favorable moment for establishing the glory, strength, and commercial greatness of the former kingdom by the ruin of her ancient rival. A decided part now taken by the court of Versailles and a vigorous engagement in the war in union with North America would with ease sacrifice the fleet and army of Great Britain, at this time chiefly collected about New York. The inevitable consequence would be the quick reduction of the British islands in the West Indies, already barred of defense by the removal of their troops to this continent.

For reasons here assigned, gentlemen, you will readily discern how all-important it is to the security of American independence that France should enter the war as soon as may be; and how necessary it is, if it be possible, to procure from her the line-of-battle ships you were desired in your instructions to obtain for us, the speedy arrival of which here, in the present state of things, might decide the contest at one stroke.

We shall pay proper attention to what Mr. Deane writes concerning Dr. Williamson and Mr. Hopkins, and we think that the ill-treatment this country and Mr. Deane have received from these men strongly suggests the necessity of invincible reserve with persons coming to France as Americans and friends to America about whom the most irrefragable proofs have not removed all doubt.*

The British recall of their Mediterreanean passes is an object of great consequence, and may require much intercession with the court of France to prevent the mischiefs that may be derived to American commerce therefrom; but this subject has been already touched upon in your instructions on the sixth article of the treaty proposed to be made with France. As all affairs relative to the conduct of commerce and remittance pass through another department, we beg leave to refer you to the secret committee, and Mr. Thomas Morris, their agent in France, for every information on those subjects. The neighborhood of Philadelphia having by the enemy's movements become the seat of war, it was judged proper that Congress should adjourn to this town, where the public business may be attended with the undisturbed deliberation that its importance demands. The Congress was accordingly opened here on the 20th instant.

As it is more than probable that the conference with Lord Howe on Staten Island may be misrepresented to the injury of these States, we do ourselves the pleasure to inclose you an authenticated account of the whole business, which the possibility of Dr. Franklin's not arriving renders proper. This step was taken to unmask his lordship, and evince to the world that he did not possess powers which, for the purpose of delusion and division, had been suggested.

Mr. Deane's proposition of a loan is accepted by Congress, and they have desired two millions sterling to be obtained if possible. The necessity of keeping up the credit of our paper currency and the variety of important uses that may be made of this money have induced Congress to go so far as 6 per cent.; but the interest is heavy, and it is hoped that you may be able to do the business on much easier terms. The resolves of Congress on this subject are inclosed and your earliest

* Mr. Deane had found Dr. Williamson and Mr. Hopkins in Paris, and, from circumstances which he does not mention, he suspected them to be in the interest of England. Nothing ever occurred, however, to prove that this suspicion was well founded. On the contrary, Dr. Williamson was afterwards a member of Congress, and equally distinguished for his patriotism and ability.—SPARKS. As vindicating Dr. Williamson's character, see prior notes

attention to them is desired, that we may know as soon as possible the event of this application. Another resolve inclosed will show you that Congress approve of armed vessels being fitted out by you on continental account, provided the court of France dislike not the measure, and blank commissions for this purpose will be sent you by the next opportunity. Private ships of war, or privateers, can not be admitted where you are, because the securities necessary in such cases to prevent irregular practices can not be given by the owners and commanders of such privateers. Another resolve of Congress, which we have the honor to inclose you, directs the conduct to be pursued with regard to Portugal.*

We have nothing further to add at present but to request that you will omit no good opportunity of informing us how you succeed in your mission, what events take place in Europe by which these States may be affected, and that you contrive to send to us in regular succession some of the best London, French, and Dutch newspapers, with any valuable political publications that may concern North America.

We have the honor to be, with great respect and esteem, gentlemen, your most obedient and very humble servants,

B. HARRISON.

R. H. LEE.

J. WITHERSPOON.

W. HOOPER.

P. S.—The American captures of British vessels at sea have not been less numerous or less valuable than before Dr. Franklin left us. The value of these captures has been estimated at two millions.

Robert Morris to the Commissioners at Paris.^t

PHILADELPHIA, December 21, 1776.

GENTLEMEN: I am now the only member of Congress in this city, unless Mr. Walton, of Georgia, and Mr. Clymer, my colleague, still remain, which I am not sure of. I cannot pretend to give you a regular detail of our manifold misfortunes, because my books and papers are all gone into the country, as is my family. But these unfortunate events commenced with the loss of Fort Washington, by the reduction of which the enemy made about two thousand seven hundred prisoners, and at this critical time they, by treachery, bribery, or accident, intercepted some dispatches from General Washington to Congress, also

* For the resolves alluded to in this letter, and also for general instructions to the commissioners on various important topics, see the secret journals of Congress for foreign affairs for Oct. 22, Dec. 23 and 29, vol. 2, pp. 34, 35, 37.—SPARKS.

^t 1 Sparks' Dip. Rev. Corr., 171. Of this another version slightly variant is found, addressed to Silas Deane, with a postscript of Jan. 8, 1777, in the Lee papers at Harvard Library.

some of the general's private letters, particularly one to Mr. Rutledge, in which he had fully laid open the unfortunate situation he was then involved in by the short enlistments of our army; for the times of most of them expired on the 1st of December, and the rest on the 1st of January, when the whole army would leave him, as they had undergone great fatigue during the whole of the campaign, had suffered amazingly by sickness and the approach of winter, added to an appearance of much suffering for want of clothes.

All these things he stated fully, and the enemy became possessed of a most authentic account of his real situation. They determined to take advantage of it, and before General Washington had time to make any new arrangements at Fort Lee, on the west side of the North River, to which he had crossed with about eight thousand men, a large body of troops landed above and another below him, so that he was near being inclosed with a force vastly superior. In this situation he had nothing left for him but to retire directly off the neck of land on which that fort stands, leaving behind him considerable baggage and stores, with most of our large cannon and mortars. He retreated to Hackensack, and was there in hopes of making a stand until the militia of the country should come to his assistance; but the vigilance of the enemy did not give him time for this. They pursued, and he retreated all the way through the Jerseys to Trenton, and thence they forced him across the Delaware, where he still remains to oppose their passage across the river.

Lord Cornwallis commanded the British forces in the Jerseys until they reached Brunswick, where General Howe joined them with re-enforcements and determined to make his way to this city without further loss of time. You may be sure the militia of New Jersey and this State were called upon to turn out and defend their country in this hour of distress. Alas, our internal enemies had by various arts and means frightened many, disaffected others, and caused a general languor to prevail over the minds of almost all men not before actually engaged in the war. Many are also exceedingly disaffected with the constitutions formed for their respective States, so that from one cause or other no Jersey militia turned out to oppose the march of an enemy through the heart of their country; and it was with the utmost difficulty that the associators of this city could be prevailed on to march against them. At length however, it has been effected; they have been up with the general about two weeks, and the example is likely to produce its effect in the country, as they are now pretty generally on their march towards Trenton.

During General Washington's retreat through the Jerseys he wrote for General Lee, who was left in command on the east side of the North River with about ten to eleven thousand men, most of whose enlistments are now expired or near it. He obeyed the summons and brought with him about three thousand men, with whom he followed the enemy's

rear, but was obliged to make slow marches, as his people were in great want of shoes, stockings, and other necessaries, which he was obliged to collect from the tories in the neighborhood of his route. After he had passed a place called Chatham, near Elizabethtown, he lodged at a farm house. Some treacherous villain gave notice to the enemy, and the general's ill fate, or some other cause I am not acquainted with, delayed him there until near 10 o'clock on Friday morning, his army having marched and their rear about three miles from him, when he was surprised by about seventy light horse, who made him prisoner and bore him off in triumph. This is an event much to be lamented. I sincerely pity Lee, and feel for the loss my country sustains. His abilities had frequently been immensely useful; the want of them will be severely felt.*

The command of this party devolved on General Sullivan, who continued his route, fell in with General Gates with five hundred men returning from the lakes, and both joined General Washington yesterday. This junction is what we have long impatiently wished for, but still I fear our force is not equal to the task before them, and unless that task is performed, Philadelphia, nay, I may say Pennsylvania, must fall. The task I mean is to drive the enemy out of New Jersey, for at present they occupy Brunswick, Princeton, Trenton, Pennytown, Bordenton, Burlington, Morristown, Mount Holly, and Haddonfield, having their main body about Princeton and strong detachments in all the other places, it is supposed with a design of attacking this city whenever they can cross the Delaware on the ice, for they have only been kept from it by our sending up the gondolas and bringing off or destroying all the boats along the Jersey shore.

You will think the enemy are now in a situation for us to attack their scattered parties and cut them off. This we think, too, and are preparing to do it, but it will be a work of extreme difficulty to get at them; they have excellent intelligence of all our motions; we can hardly come at any certainty about theirs, for Lord Howe and General Howe issued a proclamation on the 30th of November, offering pardon to all who should submit within sixty days and subscribe a declaration that they will not hereafter bear arms against the king's troops nor encourage others to do it. This has had a wonderful effect, and all Jersey, or far the greater part of it, is supposed to have made their submission and subscribed the declaration required; those who do so of course become our most inveterate enemies; they have the means of conveying intelligence and they avail themselves of it.

In this perplexing situation of things the Congress were informed this day week that an advanced party of Hessians and Highlanders had taken possession of Burlington, that they were pushing for Cooper's Ferry, opposite the city, and it was thought had the means of crossing the river. There were no troops to oppose them; our whole force, both

* See, however, as to Lee, introduction, §§ 10, 11; and note under date Feb. 11, 1776.

by land and water, was above; it was therefore deemed unsafe for Congress to remain here, and absolutely necessary that they should be in a place of safety where they could deliberate coolly and freely without interruption, and last Saturday they adjourned to Baltimore, where they are now sitting. This city was for ten days the greatest scene of distress that you can conceive; everybody but Quakers were removing their families and effects, and now it looks dismal and melancholy. The Quakers and their families pretty generally remain; the other inhabitants are principally sick soldiers, some few effective ones under General Putnam, who is come here to throw up lines and prepare for the defense of the place if General Washington should be forced to retreat hither. You may be sure I have my full share of trouble on this occasion, but having got my family and books removed to a place of safety my mind is more at ease, and my time is now given up to the public, although I have many thousand pounds' worth of effects here without any prospect of saving them.

We are told the British troops are kept from plunder, but the Hessians and other foreigners, looking upon that as a right of war, plunder wherever they go, from both whigs and tories, without distinction, and horrid devastations they have made on Long Island, New York Island, White Plains, and New Jersey, being the only places they have yet set foot on. Should they get this fine city they will be satiated, if the ruin of thousands of worthy citizens can satisfy their avarice.

This is not the only part of the continent that now feels the weight of their resentment; General Clinton, with from three to six thousand men, has invaded Rhode Island, and, it is said, has taken possession of it; whether he will make any attempt on the main during this severe inclement season I do not know; but if he does, I hope he may find cause to repent it.

I must add to this gloomy picture one circumstance, more distressing than all the rest, because it threatens instant and total ruin to the American cause, unless some radical cure is applied and speedily; I mean the depreciation of continental currency. The enormous pay of our army, the immense expenses at which they are supplied with provisions, clothing, and other necessaries, and, in short, the extravagance that has prevailed in most departments of the public service, have called forth prodigious emissions of paper money, both continental and colonial. Our internal enemies, who, alas, are numerous and rich, have always been undermining its value by various artifices, and now that our distresses are wrought to a pitch by the success and near approach of the enemy, they speak plainer, and many peremptorily refuse to take it at any rate. Those that do receive it do it with fear and trembling, and you may judge of its value even amongst those when I tell you that £250 continental money, or \$666 $\frac{2}{3}$, is given for a bill of exchange of £100 sterling, sixteen dollars for a half johannes, two paper dollars for one of silver, three dollars for a pair of shoes, twelve dol-

lars for a hat, and so on; a common laborer asks two dollars a day for his work and idles half his time.

All this amounts to real depreciation of the money. The war must be carried on at an expense proportioned to this value, which must inevitably call for immense emissions, and of course still further depreciations must ensue. This can only be prevented by borrowing in the money now in circulation; the attempt is made, and I hope will succeed, by loan of lottery. The present troubles interrupt those measures here, and as yet I am not informed how they go on in other States, but something more is necessary; force must be inevitably employed, and I dread to see that day. We have already calamities sufficient for any country, and the measure will be full when one part of the American people is obliged to dragoon another at the same time that they are opposing a most powerful external foe.

For my part I see but two chances for relief; one is from you. If the court of France open their eyes to their own interest, and think the commerce of North America will compensate them for the expense and evil of a war with Britain, they may readily create a diversion, and afford us succors that will change the fate of affairs; but they must do it soon; our situation is critical, and does not admit of delay. I do not mean by this that instant submission must ensue if they do not directly afford us relief; but there is a great difference between the benefits they will derive from a commercial connection with this country, in full health and vigor, and what they can possibly expect after it is exhausted by repeated efforts during the precarious process of a tedious war, during which its cities will be destroyed, the country ravaged, the inhabitants reduced in numbers, plundered of their property, and unable to reap the luxuriant produce of the finest soil in the world. Neither can they, after a tedious delay in negotiation, expect that vigorous assistance from us in prosecuting the war that they may be assured of if they join us in its infancy. If they join us generously in the day of our distress, without attempting undue advantages because we are so, they will find a grateful people to promote their future glory and interest with unabating zeal; and from my knowledge of the commerce of this country with Europe, I dare assert that whatever European power possesses the pre-emption of it must of consequence become the richest and most potent in Europe. But should time be lost in tedious negotiations and succors be withheld, America must sue for peace from her oppressors.

Our people knew not the hardships and calamities of war when they so boldly dared Britain to arms; every man was then a bold patriot felt himself equal to the contest, and seemed to wish for an opportunity of evincing his prowess; but now, when we are fairly engaged, when death and ruin stare us in the face, and when nothing but the most intrepid courage can rescue us from contempt and disgrace, sorry am I to say it, many of those who were foremost in noise shrink coward-like

from the danger, and are begging pardon without striking a blow. This, however, is not general; but dejection of spirits is an epidemical disease, and unless some fortunate event or other gives a turn to the disorder, in time it may prevail throughout the community. No event would give that turn so soon as a declaration of war on the part of France against Great Britain, and I am sure if they lose this golden opportunity they will never have such another.

You will doubtless be surprised that we have not made better progress with our navy, because you are unacquainted with the many difficulties and causes of delay that have encountered us. The want of sea coal for our anchorsmiths has been a great bar to our progress; the disappointment in our first attempts to cast cannon has been another; but, above all, we have been hindered by the constant calling out of our militia in a manner that did not admit of the necessary tradesmen being exempted. You will wonder at this. It would be a long story to unfold the reasons; therefore suffice that it is so. Dr. Franklin can inform you of many particulars respecting the flying camp; therefore I shall give you the present state of our navy according to the best of my knowledge at this time.

The frigate in New Hampshire is a very fine ship, completed in every particular, except the want of cannon, which was to have been cast in Rhode Island, but the spirit of privateering has prevailed so eminently there, that they have sacrificed every other pursuit to it, both public and private, as I am informed; and we have ordered the guns cast in Connecticut for that frigate to be sent to Portsmouth. As soon as they arrive the *Raleigh* will be manned and sail on a cruise.

At Boston they have also two fine frigates. The *Boston*, of twenty-four guns, I expect is at sea before this time, commanded by Captain McNeil, a very clever officer; the other is nearly ready, commanded by Captain Manly.

In Rhode Island were built the two worst frigates, as I have been informed by those who have seen the whole. These two are completely fitted, and were partly manned when we last heard from them, so that I hope they are now at sea.

In Connecticut the frigate is said to be a fine ship, but she can not get to sea this winter for want of cordage and other stores. In New York two very fine frigates are blocked up by the enemy, and hauled into Esopus creek for safety. At this place we have four very fine ships; one of them, the *Randolph*, Captain Biddle, of twenty-six twelve pounders, will, I hope, go to sea in company with this letter; another, the *Delaware*, Captain Alexander, is getting ready, and I hope will get out this winter; the other two want guns, anchors, and men. At Baltimore is a fine frigate, now only waiting for an anchor and men.

Besides these, we have in service the *Alfred*, *Columbus*, and *Reprisal*, ships from sixteen to twenty-four guns; the brigantines *Cabot*, *Camden*, *Andrew Doria*, and *Lexington*, of twelve to sixteen guns; the

sloops *Providence*, *Hornet*, *Fly*, *Independence*, *Sachem*; and schooners *Wasp*, *Mosquito*, and *Georgia Packet*, all in actual service; and they have had great success in taking valuable prizes, as indeed have numbers of privateers from all parts of America. We have, besides, two very fine row galleys, built here, of ninety feet keel, but they are not yet rigged; and it has lately been determined by Congress to build some line of battle ships, and at all events to push forward and pay the utmost attention to an American navy. The greatest encouragement is given to seamen, which ought to be made known throughout Europe. Their pay in our navy is eight dollars per month, with the best chance for prize money that men ever had, and liberty of discharges after every cruise if they choose it. In the merchant service they now get from thirty to forty dollars per month, and this leads me to the state of our commerce.

In the eastern States they are so intent on privateering that they mind little else; however, there is some exportation of produce from thence, and as to imports, they are the best supplied of any part of America, having been surprisingly successful in captures. New York being in the hands of the enemy, we have nothing to say to it, and the produce of New Jersey will be totally consumed by their army and ours. In this State (Pennsylvania) we had last season the worst crop of wheat ever known both as to quantity and quality; this being our staple commodity, and stores prohibited, our merchants have been led to purchase much tobacco in Maryland and Virginia, and their ships are employed in the export of this article, with some flour, boards, bees-wax, etc. We have a good many imports, but as fast as goods arrive they are bought up for the army, or for the use of neighboring States, and therefore continue to bear high prices.

The value of ships has risen in the same enormous proportion with everything else, and ships that were deemed worth £1,000 twelve months ago now sell for £3,000 or upwards. Every article belonging to them is also excessively dear and hard to be got, and the insolence and difficulty of seamen is beyond bearing. In Maryland, Virginia, South Carolina, and Georgia they have plenty of valuable produce on hand but no ships to carry it away, and constant cruisers all along the coast make it very dangerous to send ships from one port to another. So that, look which way you will, you find us surrounded with difficulties in the land service, in the sea service, and in our commerce.

Agriculture and mechanics have their impediments by the enlisting of soldiers and frequent calls on the militia. In short, nothing but the most arduous exertions and virtuous conduct in the leaders, seconded by a spirited behaviour in the army and a patient endurance of hardships by the people in general, can long support the contest; therefore the court of France should strike at once, as they will reap an immediate harvest; they may sell their manufactures for any price they please to ask; they will get in payment tobacco, rice, indigo, deer-

skins, furs, wheat, flour, iron, beeswax, lumber, fish, oil, whalebone, pot and pearl ashes, and various other articles; and, if they please, here is an ample field to employ their shipping and raise seamen for their navy.

I will not enter into any detail of our conduct in Congress, but you may depend on this, that so long as that respectable body persist in the attempt to execute, as well as to deliberate on their business, it never will be done as it ought; and this has been urged many and many a time by myself and others, but some of them do not like to part with power, or to pay others for doing what they cannot do themselves.

I have Mr. Deane's favor of the 30th of September,* to myself, now before me; the letter, by the same conveyance from Martinico, under cover of Mr. Bingham's, I sent down to the committee at Baltimore, and wrote them my mind on the justice of your complaints for want of intelligence. I had often told it to them before; you know well I was not put in that committee to carry on the correspondence, but to find out the conveyances; however, I have been obliged to write all the letters that have been written for some time past; but as Colonel Lee, Mr. Hooper, and the Rev. Dr. Witherspoon are now added to the committee, I shall excuse myself from that task, although I have thought it proper to give you a just state of our affairs at this time, because I do not suppose the committee will be got fairly together in Baltimore yet, and when they do, it is probable they may not be fond of laying things before you so fully as I have done. Some of us are of very sanguine complexions, and are too apt to flatter ourselves that things are not so bad as they appear to be, or that they will soon mend, etc. Now my notion is, that you, gentlemen Commissioners, should be fairly and fully informed of the true state of affairs, that you may make a proper use of that knowledge, keeping secret what ought to be so, and promulgating what should be known.

Dr. Franklin will see this letter, for whose safe arrival my best wishes have often gone forth, and I embrace this opportunity of assuring him of the high respect and esteem I entertain for him. I also beg my compliments to Mr. Lee, if he is with you; tell him I have the commission, in which he is nominated, ready to send, but it is gone into the country with my papers, or I would send it by this conveyance. My own affairs necessarily detained me here after the departure of Congress; and it is well I staid, as I am obliged to set many things right that would otherwise be in the greatest confusion. Indeed, I find my presence so very necessary, that I shall remain here until the enemy drive me away.

I have the honor to be, etc.,

ROBERT MORRIS.

* See *supra* of that date.

Franklin, Deane, and Arthur Lee to Vergennes.*

PARIS, December 23, 1776.

SIR: We beg leave to acquaint your excellency that we are appointed and fully empowered by the Congress of the United States of America to propose and negotiate a treaty of amity and commerce between France and the United States. The just and generous treatment their trading ships have received by a free admission into the ports of this kingdom, with other considerations of respect, has induced the Congress to make this offer first to France. We request an audience of your excellency, wherein we may have an opportunity of presenting our credentials, and we flatter ourselves that the propositions we are authorized to make are such as will not be found unacceptable.

With the greatest regard, we have the honor to be, your excellency's most obedient and most humble servants,

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

A. Lee to Lord Shelburne.†

PARIS, December 23, 1776.

MY LORD: A very few hours after my last letter to your lordship brought me the desire of my country to serve her in a public character. Your lordship, I hope, thinks too well of me to suppose I could hesitate a moment. In fact, almost the same minute saw me bid adieu, perhaps forever, to a country where from choice I had fixed my fortunes, and to a people whom I most respected and could have loved. But the first object of my life is my country; the first wish of my heart is public liberty. I must see, therefore, the liberties of my country established or perish in her last struggle.

In truth, I have long despaired even of a struggle for liberty in England; I will not insult Scotland with the idea. It is not the subtle Wedderburn, poisoning the fountain of public security, nor the ruthless Thurloe, deliberately butchering the liberties of his country, that make me despair; but yet perhaps the people are only not virtuous, and America may yet, with a sort of filial piety, reanimate her expiring constitution.

Our *Pater Patriæ*, with whom and Mr. Deane I am joined in power, is in good health and spirits. If fate will have it that America, as she has reared her temples and her altars to liberty, must furnish her victims too, I know not where she can find a sacrifice more respectable.‡

Should the event of this measure be found fatal to England, it is the

* 6 Bigelow's Franklin, 42.

† MSS. Dept. of State: 1 Sparks' Dip. Rev. Corr., 390, with omissions.

‡ See, however, as to A. Lee's change of views in this respect, index, A. Lee.

perfidy of her ministers, which never offers anything which could be trusted, which compels it, and to which the consequences are justly imputable.

I beg your lordship to remember me as one who can never cease to have the most perfect esteem for you. I have communicated to the Abbé Raynal all the facts that I could collect in answer to his questions. He will write to you soon.

May I beg to be remembered to our friends in the college and to those out of it, who I hope will always do me the honor of remembering me; Colonel Barré, Mr. Dunning, Dr. Priestly, Dr. Price, etc.

I have the honor to be, etc

ARTHUR LEE.

Harrison et al., Committee of Secret Correspondence, to the Commissioners at Paris.*

BALTIMORE, December 30, 1776.

GENTLEMEN: You will pleased to receive herewith copies of our letter of the 21st instant, and of its inclosures, which we recommend to your attention. Since that letter was written, General Washington having been re-enforced by the troops lately commanded by General Lee and by some corps of militia, crossed the Delaware with twenty-five hundred men and attacked a body of the enemy posted at Trenton with the success that you will see related in the inclosed handbill. We hope this blow will be followed by others that may leave the enemy not so much to boast of as they some days ago expected and we had reason to apprehend.

Upon mature deliberation of all circumstances, Congress deem the speedy declaration of France and European assistance so indispensably necessary to secure the independence of these States, that they have authorized you to make such tenders to France and Spain as they hope will prevent any longer delay of an event that is judged so essential to the well-being of North America. Your wisdom, we know, will direct you to make such tenders to France and Spain as they hope will procure the thing desired on terms as much short of the concessions now offered as possible; but no advantages of this kind are proposed at the risk of a delay that may prove dangerous to the end in view. It must be very obvious to the court of France that if Great Britain should succeed in her design of subjugating these States, their inhabitants, now well trained to arms, might be compelled to become instruments for making conquest of the French possessions in the West Indies, which would be a sad contrast to that security and commercial benefit that would result to France from the independence of North America.

By some accident in removing the papers from Philadelphia to this place the Secretary of Congress has mislaid the additional instructions

* MSS. Dept. of State; 1 Sparks' Dip. Rev. Corr., 180, with verbal changes.

formerly given you, by which you were empowered to negotiate with other courts besides France. We think it necessary to mention this to you, lest the paper should have got into wrong hands and because we wish to have a copy sent us by the first opportunity.

We observe that Mr. Deane sent his dispatches for this committee open to Mr. Bingham. Though we have a good opinion of that gentleman, yet we think him rather too young to be made acquainted with the business passing between you and us, and therefore wish this may not be done in cases of much importance.

The next opportunity will bring you the determination of Congress concerning the persons that are to be sent to the courts of Vienna, Russia, Spain, and the Grand Duke of Tuscany. In the mean time it is hoped that, through the medium of the ambassadors from those courts to that of France, you may be so fortunate as to procure their friendly mediation for the purposes proposed by Congress.*

Our *Andrew Doria*, of fourteen guns, has taken a king's sloop of war of twelve guns after a smart engagement.

In our last we say the enemy made near three thousand prisoners at Fort Washington, but the number is fixed at two thousand six hundred and thirty-four. The West Indiamen taken by our cruisers amount to two hundred and fifty sail.

The scarcity of ships here is so great that we shall find much difficulty in making the extensive remittances to France that we ought in due season; therefore it will, in our opinion, be an object of great importance to obtain the consent of the Farmers-General to send to Virginia and Maryland for any quantity of tobacco they may choose, or to the State of North Carolina for any quantity of naval stores which may be wanted for public use, or to supply the demands of private merchants.

The terms, both as to quantity and price, you will endeavor to learn and let it be made known to us with all possible expedition, that you may receive an answer thereon.

The captain of the armed vessel that carries these dispatches has orders to deliver them himself to you in Paris, and his vessel will expect his return in a different port from the one he arrives at; he will take your directions about his return and receive your letters; but the anxiety prevailing here to know your success renders it proper that he should return with all possible dispatch.

Wishing you health, success, and many happy years, we remain, gentlemen, yours, etc.,

B. HARRISON.
R. H. LEE.
J. WITHERSPOON.
W. HOOPER.

* See, as to these diplomatic agencies, introduction, §§ 16 *f.*

Arthur Lee to the Committee of Secret Correspondence.*

PARIS, December 31, 1776.

GENTLEMEN: I had the honor of receiving your favor of the 31st October, announcing to me my appointment as one of the commissioners from the Congress of the United States of America. I can not express how much I am obliged to that most respectable body for giving me an opportunity of showing how much I prefer the service of my country and her present cause to every other pursuit and situation in life. I had the happiness of joining Dr. Franklin and Mr. Deane the day after the arrival of the former at this place. We have employed every moment in preparing the way for fulfilling the purport of our mission. It is impossible to say yet in what degree we shall be able to accomplish our instructions and our wishes. The polities of Europe are in a state of trembling hesitation. It is in consequence of this that I find the promises that were made me by the French agent in London, and which I stated to you by Mr. Storey and others, have not been entirely fulfilled. The changing of the mode of conveying what was promised was settled with Mr. Deane, whom Mr. Hortalez found here on his return, and with whom all the arrangements were afterwards made. I hope you will have received some of the supplies long before this reaches you. Infinitely short as they are of what was promised in quantity, quality, and time, I trust they will be of very material service in the operations of the next campaign. It is that to which, to use the expression of our arch enemy, we must look, and no exertions in preparing for it can be too great, because the events of it must be very decisive.

I have the honor, etc.,

ARTHUR LEE.†

Harrison et al., Committee of Secret Correspondence to Franklin.‡

BALTIMORE, January 1, 1777.

SIR: Congress, relying on your wisdom and integrity and well knowing the importance of the case, have appointed you their commissioner to negotiate a treaty of friendship and commerce with the court of Spain.§ The idea of Congress on this subject you will find in the instructions sent by this opportunity to yourself and the other commissioners at the Court of France. Your commission for this special service we have now the honor to inclose you.

We are, with great respect and esteem, honorable sir, yours, etc.,

B. HARRISON.

R. H. LEE.

J. WITHERSPOON.

W. HOOPER.

* 1 Arthur Lee's Life, 60.

† See index, title Arthur Lee.

‡ 2 Sparks' Dip. Rev. Corr., 8.

§ See the secret journals of Congress, vol. 2, pp. 38, 41, 42.—SPARKS.

Harrison and Lee, Committee of Secret Correspondence, to Captain Hammond.*

BALTIMORE, January 2, 1777.

SIR: You are to proceed with all the dispatch in your power, with the schooner *Jenifer*, under your command, to Nantes, in France. On your arrival there you are to apply to Mr. Thomas Morris, if he should be at that port; if he should not, your application must be to Messrs. Pliarne, Penet & Co., who will furnish you with necessary cash for your journey to Paris, for which place you must set out immediately, and deliver your dispatches to Messrs. Franklin, Deane, and Lee, and wait their orders; when they discharge you, you are to return with the utmost diligence to America, and put into the most convenient port to the southward of the Delaware; we think Chincoteague, or some other on the back of the Eastern Shore, the most likely for avoiding men-of-war, and would therefore have you attempt getting into one of those ports; when arrived, you must leave the schooner under the command of your mate, and bring the dispatches yourself to Congress, wherever it may be sitting.

You are, before you set out for Paris, to consult with Mr. Morris, or the above gentlemen, whether your vessel will not be most likely to escape the enemy by sending her to some other port to meet you on your return; if this should be their opinion, you are to give orders to your mate accordingly; you are also to deliver your pig-iron to the orders of those gentlemen, and take from them such a quantity of military stores as will ballast your vessel. The safe delivery of the dispatches with which you are intrusted, and the obtaining answers to them, are matters of such immense consequence to the continent, that we can not too strongly recommend to you the avoiding all vessels that you may see either outward bound or on your return. You are also to avoid, as much as possible, falling in with headlands and islands, as it is most usual for men-of-war to cruise off such places.

The dispatches will be delivered to you in a box, which you must put into a bag with two shots, that, in case of falling in with an enemy from which you can not escape, you may be prepared to sink them, which, on such an event happening, we earnestly insist on your doing.

We wish you a good voyage and safe return, and are your most humble servants,

B. HARRISON.
R. H. LEE.

P. S.—When you arrive at Nantes, inquire and get directions from the gentlemen there, to whom you are recommended for cash to carry you to Paris, where Dr. Franklin, Mr. Deane, or Mr. Arthur Lee lodge in Paris; and above all things take care not to let it be known at Nantes from whence you come, your business, or where you are going, except to the above gentlemen.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 182.

Arthur Lee to Committee of Secret Correspondence.*

PARIS, January 3, 1777.

GENTLEMEN: I had the honor of receiving your favor, announcing to me my appointment as one of the commissioners from the Congress of the United States of America.

I can not express how greatly I am obliged to that most respectable body for giving me an opportunity of showing how much I prefer the service of my country and of her present cause to every other pursuit and situation in life.

I had the happiness of joining Dr. Franklin and Mr. Deane the day after the arrival of the former at this place.

We have employed every moment in preparing the way for fulfilling the purposes of our mission. It is impossible to say yet in what degree we shall be able to accomplish our instructions and our wishes.

The politics of this court are in a kind of trembling hesitation. It is in consequence of this that the promises which were made to me by the French agent in London, and which I stated to you by Mr. Storey and others, have not been entirely fulfilled. The changing of the mode of conveying what they promised was settled with Mr. Deane, whom Mons. Hortalez, or Beaumarchais, found here upon his return from London, and with whom therefore all the arrangements were *afterwards* made. †

I hope you will have received some of the supplies long before this reaches you; infinitely short as they are of what was promised in quantity, quality, and time, I trust they will be of very material service in the operations of the next campaign. It is that, to use the words of our arch enemy, to which we must look forward, and no exertions in preparing for it can be too great, because the events of it must be very decisive.

I have the honor of being, etc.,

ARTHUR LEE.

Franklin to Committee of Secret Correspondence.‡

PARIS, January 4, 1777.

GENTLEMEN: I arrived here about two weeks since, where I found Mr. Deane. Mr. Lee has since joined us from London. We have had an audience of the minister, Count de Vergennes, and were respectfully received. We left for his consideration a sketch of the proposed treaty.§ We are to wait upon him to-morrow with a strong memorial, requesting the aids mentioned in our instructions. By his advice we

* MSS. Dep. of State: 1 Sparks' Dip. Rev. Corr. 391, with verbal changes.

† See *infra* Lee's statement of Oct. 6, 1777.

‡ MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 8; 6 Bigelow's Franklin, 52.

§ See 2 Secret Jour., 7.

have had an interview with the Spanish ambassador, Count d'Aranda, who seems well disposed towards us, and will forward copies of our memorials to his court, which will act, he says, in perfect concert with this.

Their fleets are said to be in fine order, manned, and fit for sea. The cry of this nation is for us, but the court, it is thought, views an approaching war with reluctance. The press continues in England. As soon as we can receive a positive answer from these courts we shall dispatch an express with it.

I am, gentlemen, etc.,

B. FRANKLIN.

Franklin, Deane and Lee to Vergennes.*

PARIS, January 5, 1777.

SIR: The Congress, the better to defend their coasts, protect their trade, and drive off the enemy, have instructed us to apply to France for eight ships of the line, completely manned, the expense of which they will undertake to pay. As other princes of Europe are lending or hiring their troops to Britain against America, it is apprehended that France may, if she thinks fit, afford our independent States the same kind of aid, without giving England any first cause of complaint. But if England should on that account declare war, we conceive that by the united force of France, Spain, and America, she will lose all her possessions in the West Indies, much the greatest part of that commerce which has rendered her so opulent, and be reduced to that state of weakness and humiliation which she has, by her perfidy, her insolence, and her cruelty, both in the east and the west, so justly merited.

We are also instructed to solicit the court of France for an immediate supply of twenty or thirty thousand muskets and bayonets, and a large quantity of ammunition and brass field pieces, to be sent under convoy. The United States engage for the payment of the arms, artillery, and ammunition, and to defray the expense of the convoy. This application has now become the more necessary, as the private purchase made by Mr. Deane of those articles is rendered ineffectual by an order forbidding their exportation.

We also beg it may be particularly considered, that while the English are masters of the American seas,† and can, without fear of interruption, transport with such ease their army from one part of our extensive

* 1 Sparks' Dip. Rev. Corr., 391.

† Vergennes' instructions of December 24, 1776, to Noailles, French minister at London, characterizing the issue by the British Government of commissions to privateers to prey on American vessels, as a desperate measure calculated greatly to injure the commerce of other nations and to imperil the general tranquillity, is given by Doniol, ii, 83. On January 31, 1777, the bill passed its third reading in the House of Commons without a single dissenting voice. *Id.*, 329.

coast to another, and we can only meet them by land marches, we may possibly, unless some powerful aid is given us or some strong diversion be made in our favor, be so harassed and be put to such immense distress, as that finally our people will find themselves reduced to the necessity of ending the war by an accommodation.

The courts of France and Spain may rely with the fullest confidence that whatever stipulations are made by us in case of granting such aid, will be ratified and punctually fulfilled by the Congress, who are determined to found their future character, with regard to justice and fidelity, on a full and perfect performance of all their present engagements.

North America now offers to France and Spain her amity and commerce. She is also ready to guaranty in the firmest manner to those nations all her present possessions in the West Indies, as well as those they shall acquire from the enemy in a war that may be consequential of such assistance as she requests. The interests of the three nations are the same. The opportunity of cementing them and of securing all the advantages of that commerce, which in time will be immense, now presents itself. If neglected, it may never again return; and we can not help suggesting that a considerable delay may be attended with fatal consequences.*

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

R. Morris to Franklin, Deane, and Lee.†

PHILADELPHIA, January 14, 1777.

HONORABLE GENTLEMEN: I have the honor to inclose you herein a copy of two resolves of Congress, passed the 19th and 29th November, by which the secret committee are directed to import two hundred and twenty-six brass cannon and arms and equipage complete for three thousand horse.

You will observe they are also directed to confer with the cannon committee as to how many they can provide here of the field pieces; but we pay little regard to that point, well knowing they will not be able to procure proper metal for many of them. Therefore I must request, in the name and on behalf of the secret committee, that you will contract immediately for these necessary supplies, and send them out to these States by various conveyances as quick as possible. Indeed I hope you may procure some line of battle ships to come out with them, and then there will be little danger of their coming safe.

* There is no reply to this letter or record. It is probable that a verbal message was communicated in reply to M. Gerard, as may be judged from the letter directed to him which immediately follows.—SPARKS.

† 1 A. Lee's Life, 295.

I most sincerely hope the court of France may be disposed to favor all our views—that they will accommodate you with sufficient loans to pay for these and all other stores we want from Europe; for although we have plenty of valuable produce that would soon provide you with ample funds if we could get it exported safely, yet the difficulties and impediments we meet with will render it impossible to get it away half fast enough. Nothing in our power shall be left undone, and Mr. Morris will be ordered to supply you with money as fast as he receives it from the net proceeds of our consignments.

I have the honor to be, with great esteem and regard, honorable gentlemen, your most obedient, humble servant,

ROBERT MORRIS,
Chairman of the Secret Committee of Congress.

P. S.—These resolves would have been sent long since, but our ports have been blocked up by the British men-of-war, and the confusion we were put in on the rapid march through the Jerseys and near approach to this city by the enemy has put it totally out of our power to forward any dispatches for some time past.

R. M.

Franklin, Deane and Lee to Gerard.*

PARIS, January 14, 1777.

We thank M. Gerard for the polite and explicit manner in which he has communicated his majesty's message.

We beg to return our most grateful sense of the gracious intentions which his majesty has had the goodness to signify to our States, and to assure his majesty that we shall ever retain the warmest gratitude for the substantial proofs he has given us of his regard, and that we will endeavor in due time to impress our constituents with the same sentiments.

We feel the strength of the reasons his majesty has been pleased to assign for the conduct he means to hold, and the magnanimity of his motives. We beg leave to assure his majesty that we shall at all times and in all things endeavor to conform ourselves to the views he has opened for us, as nothing is further from our intentions than to precipitate his majesty into any measures which his royal wisdom and justice may disapprove. And if in any thing we should contravene those purposes, we shall always be happy and ready to amend it according to the advice and direction of government.

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

* 1 Sparks' Dip. Rev. Corr., 393, under date of Jan. 4.

Franklin, Deane and Lee to Committee of Secret Correspondence.*

PARIS, January 17, 1777.

GENTLEMEN: We joined each other at this place on the 22d of December, and on the 28th had an audience of his excellency the Count de Vergennes, one of his most christian majesty's principal secretaries of state, and minister for foreign affairs. We laid before him our commission,† with the articles of the proposed treaty of commerce. He assured us of the protection of his court, and that due consideration should be given to what we offered. Soon after we presented a memoir on the present situation of our States, drawn up at the minister's request, together with the articles of general confederation, and the demands for ships of war, agreeable to our instructions. Copies of all these papers were given by us to the Count d'Aranda, his catholic majesty's ambassador here, to be communicated to his court. We are promised an answer from this court as soon as they can know the determination of Spain, with which they mean to act in perfect unanimity.

In the mean time, we are endeavoring to expedite several vessels laden with artillery, arms, ammunition, and clothing, which we hope will reach you in time for the campaign, though unfortunately one vessel, which Mr. Deane had sent so laden, has put back, after having been three weeks at sea. She is, however, now sailed again. The ports of France, Spain, and Florence (that is Leghorn, in the Mediterranean) are open to the American cruisers upon the usual terms of neutrality.

We find it essential to the establishment and maintenance of your commercial credit in Europe that your concerns of that kind should be in the hands of the most respectable men in the different countries. From the observations we have made Mr. Myrtle is not of that description, and we are sorry to say that the irregularities of Mr. Thomas Morris render it absolutely necessary that some other person should be immediately appointed in his place. We also think it advisable that you should be so far on your guard with respect to Mons. Penet‡ as not to deviate from the original contract made with him, as we can not learn that he is known to be a person of substance; at the same time it is but justice to say that he appears to be active, industrious, and attentive to your interests. He is indeed connected with a very good house in Nantes, M. Gruel, but we know not the terms of that connection, or how far M. Gruel is answerable. It seems to us that those houses which are connected in Great Britain are to be avoided.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 184, with omissions and verbal changes.

† See 2 Secret Journals of Cong. 32.

‡Penet and Pliarne, according to a statement in Balch's Français en Amérique, 69, were French officers, recommended by Governor Cook, of Providence, to Washington. They came directly from Cape Francois, in St. Domingo, and were received in December by Congress, who accepted their offer as to supply of munitions of war. See further as to Penet, A. Lee to committee, Feb. 11, 1777. See index, Penet.

It would be useful if we had some blank commissions for privateers, and we therefore wish some may be sent us by the first opportunity. As vessels are almost daily arriving from America at the ports here, we conceive advices of the proceedings in the campaign might be frequently sent to us, so as to enable us to contradict the exaggerated representations made by the English of their successes; which, standing uncontroverted, have a considerable influence upon our credit and upon our cause.

Great efforts are now making by the British ministry to procure more troops from Germany. The princes in alliance with France have refused to lend any, or to enter into any guaranty of Hanover, which England has been mean enough to ask, being apprehensive for that electorate if she should draw from it more of its troops. Four more regiments, two of them to be light horse, are raising in Hesse, where there has been an insurrection on account of drafting the people; and now great sums of money are distributed for procuring men. They talk of ten thousand men in all to be sent over this spring. These things do not look as if England was very confident of success in the next campaign without more aid.

The hearts of the French are universally for us, and the cry is strong for immediate war with Britain. Indeed everything tends that way; but the court has its reasons for postponing it a little longer. In the mean time preparations for it are making. They have already a fleet of twenty-six sail of the line manned and fit for sea. Spain has seventeen sail in the same state; and more are fitting with such diligence, that they reckon to have thirty sail in each kingdom by the month of April. This must have an immediate good effect in our favor, as it keeps the English fleet at bay, coops up their seaman, of whom they will scarce find enough to man their next set of transports, and probably keep Lord Howe's fleet more together for fear of a visit, and leave us more sea-room to prey upon their commerce, and a freer coast to bring in our prizes, and also the supplies we shall be able to send you, in consequence of our agreement with the Farmers-General, which is, that the Congress shall provide, purchasing *bona fide* at the lowest price possible, twenty thousand hogsheads of tobacco, in Virginia and Maryland, at the public warehouses in those States, for the ships which they, the Farmers-General, shall send; and that those tobaccos shall be brought to France at their risk and in their ships. They understand the price is not likely to exceed three or four French sous in America, but we do not warrant that it shall cost no more, though we hope it will not. Upon these conditions we are to have half the supposed price advanced immediately, and the opportunity of shipping warlike stores on board their ships at your risk and paying reasonable freights; the rest to be paid as soon as advice is received that the tobacco is shipped.

The desire of getting money immediately to command the prepara-

tions for the ensuing campaign, and of interesting so powerful a body as the Farmers-General, who in fact make the most efficient part of government here and the absolute part in all commercial or moneyed concerns, induced us to concede to these terms, which may possibly, in the estimate of the price of tobacco, be low, but which upon the whole we judged necessary, and we hope will be advantageous. So strong is the inclination of the wealthy here to assist us that since this agreement we are offered a loan of two millions of livres, without interest, and to be repaid when the United States are settled in peace and prosperity. No conditions or securities are required, not even an engagement from us. We have accepted this generous and noble benefaction. Five hundred thousand livres, or one quarter, is to be paid into the hands of our banker this day, and five hundred thousand more every three months.*

* The following memoranda relate to the loan referred to in the text:

JANUARY 14, 1777.—Commissioners returned thanks (to M. Gerard) for the two millions granted by his majesty.

MARCH 12, 1777.—*Extract of a letter from the Commissioners to the Committee for Foreign Affairs.*

"We entered accordingly into a treaty with that company (Farmers-General), which meeting with difficulty in settling the terms, we were informed that a grant was made us of two millions of livres from the crown, of which 500,000 was ready to be paid us down and an equal sum should be paid the beginning of April, July, and October; that such was the king's generosity he exacted no conditions or promise of repayment, he only required that we should not speak to any one of our having received their aid.

"This is the money which in our former letters we mentioned as raised for us by subscription."

OCTOBER 7, 1777.—*Extract from Commissioners to Secret Committee.*

[After mentioning being enjoined by the court of France to keep the aids a dead secret the letter continues thus:]

"The apparent necessity of your being informed of the true state of your affairs oblige us to dispense with this injunction. But we entreat that the greatest care may be taken that no part of it shall transpire, nor of the assurances we have received that no repayment will ever be required from us of what has been already given us either in money or military stores."

DECEMBER, 1777.—*Extract of a letter to Count Vergennes from Commissioners.*

They also pray that their grateful acknowledgments may be presented to the king for the additional aid of three millions which he has been so graciously pleased to promise them, and that his Majesty may be assured whatever engagements they may enter into in behalf of the United States, in pursuance of the full powers they are vested with, will be executed with the most punctual good faith by the Congress, etc.

DECEMBER 18.—*Extract of a letter from Commissioners to the Secret Committee.*

It is some time since we obtained a promise of an additional aid of three millions of livres, which we shall receive in January 7. Spain, we are told, will give an equal sum, etc.

As the ships we were ordered to hire or buy from this court can not be obtained, it being judged absolutely necessary to keep their whole naval force at home ready in case of a rupture, we think of purchasing some elsewhere, or of building, in order, as far as possible, to answer the views of Congress. Of this we shall write more fully in our next. In the mean time we can not but hint that this seems to us a fair opportunity of supporting the credit of the paper money you borrow, as you may promise payment in specie of the interests, and may draw upon us for the same with all confidence. We can not, for several weighty reasons, be more explicit at present, but shall hereafter. Present our dutiful respects to the Congress, and assure them of our most faithful services.

We are, gentlemen, etc.,

BENJAMIN FRANKLIN.

SILAS DEANE.

ARTHUR LEE.

P. S.—January 22. Our agreement with the Farmers-General is not yet signed, and perhaps some small changes may be made in it; but as these will probably not be very material, we wish measures may be taken immediately for the purchase of the tobacco. We shall send by the next opportunity a copy of the contract. We have received the five hundred thousand livres mentioned above; it is now at our disposal in the hands of our banker, who has orders to advance us the second payment if we desire it, and he is ready to do it. We are, on the strength of this, in treaty for some strong ships. Ten thousand French troops are on their march to Brest. But America should exert herself as if she had no aid to expect but from God and her own valor. [Another campaign will ruin her enemies.]*

Franklin to the President of Congress.†

PARIS, January 20, 1777.

DEAR SIR: The bearer, Captain Balm, is strongly recommended to me as a very able officer of horse, and capable of being extremely useful to us in forming a body of men for that service. As he has otherwise an excellent character, I take the liberty of recommending him to my friends as a stranger of merit, worthy of their civilities, and to the Congress as an officer, who, if employed, may greatly serve a cause which he has sincerely at heart.

With great respect, etc.,

B. FRANKLIN.

* Passage in brackets omitted by Sparks.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 9; 6 Bigelow's Franklin, 55. See Deane to Congress, Oct. 17, 1776, to same effect, the name being given as "Balme."

Deane to Committee of Secret Correspondence.*

PARIS, January 20, 1777.

GENTLEMEN: I have met with disappointments unexpected as they have been affecting; after orders, and counter-orders, and maneuvers the very history of which would fill a volume, the *Amphitrite* departed with the first parcel of the stores on the 14th ultimo, and I was then in full confidence that the other vessels would instantly follow, as they lay ready in their different ports, when, to my surprise, counter-orders arrived. While laboring to remove these, the *Amphitrite* returned into port, pretendedly through want of live stock, etc., by the officers. The captain has protested that he returned in consequence of the positive orders of Monsieur du Coudray, to whom a superior power was given.[†] I have no time to decide so disputable point as that respecting Monsieur du Coudray's return, but the consequences have been bad. This I must say, he acted an unwise and injudicious part in returning into the port he did, as he thereby gave a fresh alarm to the ministry and occasioned a second counter-order. Indeed, Monsieur du Coudray appeared to have solely in view his own ease, safety, and emolument, and instead of instantly dispatching the ships with supplies, and thereby preventing a noise, he left the ships, and returned quite to Paris, without the least ground, that I can find, for his conduct; and has laid his scheme to pass into America in a ship without the artillery, which is inconsistent and absurd, and contrary to our original agreement and constant understanding, as I engaged with this man solely on account of the artillery he was to assist in procuring, expediting, and attending in person. His desertion of this charge, with his other conduct, makes me wish he may not arrive in America at all. I am sensible that my difficult situation may affect you, and therefore I shall, if possible, prevent his going out at all. With respect to the other stores, they are embarked, and I am promised a permit, which is all I may say on the subject, which is left solely to my management by my colleagues.

M. du Coudray, not content with leaving the ship, took with him the papers, which occasioned a still further delay after she was ready; but I will not enlarge on these disagreeable topics, but wishing the stores at hand,

I am, with much esteem, etc.,

SILAS DEANE.

I recommend the captain to the generosity of Congress.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 76, with verbal changes.

[†] See *infra*, Franklin and Deane to committee, Feb. 6, 1777. As to Coudray, see introduction, § 82.

Carmichael to Dumas.*

HAVRE, January 21, 1777.

DEAR SIR: Were I to acknowledge the receipt of all the letters you mention having written, it would be necessary to apologize for my silence; this, I fear, would require a detail long enough to need still another apology, which would be making it a labor *ad infinitum*. I shall therefore only say, that from the heart of Germany I am now on the borders of the Atlantic, and that I have been on the gallop ever since I parted with you at Leyden. No saint in the calendar ever ran through countries with more zeal to gain inhabitants for heaven than I have to do miracles on earth. But unfortunately it is not an age for miracles. I am at present here to botch up a piece of work which was originally well imagined but badly executed.

You will no doubt have our Paris news from the prophet who draws down fire from heaven. I shall therefore only give you my comment on the text, which is, that France has done too much and much too little. Too much, since she alarmed England and made that country put itself in a better posture of defense than before, or at least strengthened the hands of her ministers for that purpose; much too little, because, depending even on that little, we looked not out elsewhere in time.

I am, etc.,

WILLIAM CARMICHAEL.

A. Lee to Dumas.†

PARIS, January 26, 1777.

DEAR SIR: My having quitted London some time since to join my colleagues here is the reason you did not hear from me, as you complain in your last letter to Mr. Deane. As I am soon to leave this place for one very remote,‡ I am afraid this will be the last letter I shall have the honor of writing to you.

There are so many and more immediate calls for the attention of the Congress, that we are not surprised at not receiving any intelligence from them. We learn, too, from Havre that dispatches for us have been intercepted at sea, so that we remain totally uninformed by authority relative to the state of things in America. We hope the best, and if the powers of Europe are not so totally blind to their own interest as to refuse maintaining that freedom and enjoyment of our commerce which our Declaration of Independence offers them, their support will save us much distress and blood. The liberties, however, and redemption which we work out through labor and endurance will be more precious.

By accounts from London the press for seamen produces little, though

* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 223.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 223.

‡ A journey to Spain.—SPARKS.

their merchant ships are stopped in their ports, and insurance from Jamaica, with convoy, is risen to twenty-five per cent. During the last war it never amounted to more than seven.

Our cruisers, therefore, appear to do their duty. Had we anything of a fleet to assist them, England would soon repent of a war they have so unjustly engaged in and from which they have not wisdom to retreat.

No nation seems more interested in opening our commerce by abolishing the British monopoly than the Dutch. The carrying trade, by which they flourish, must be greatly increased by the change. It would also very infallibly reduce that natural power and superiority at sea which the English exercise with so much insolence, and the sinews of which are derived from America by their usurpation and tyranny; and yet such is the pusillanimity of the times, the States are crouching to the English, and, in effect, aiding them in confirming that tyranny and those advantages. It is astonishing that the smallest power in Europe should fear Great Britain at a time when she is set at defiance by America alone, yet in its infancy, and laboring under so many disadvantages.

I wish you every happiness, etc.,

ARTHUR LEE.

Franklin to Nicholson.*

PARIS, January 26, 1777.

SIR: You are directed to proceed to Boulogne, and there purchase, on as good terms as possible, a cutter suitable for the purpose of being sent to America. The purchase being made, dispatch the vessel to Havre de Grace, to the care of Mons. Limozin, and agree in the bargain to have her delivered at said port at the risk and expense of the original owner, at which stipulate to make the payment. Should you miss of one at Boulogne proceed to Calais, and pursue the same directions. If you fail there, pass to Dover or Deal, and employ a person there to make the purchase as for M. Limozin, of Nantes, at whose house the payment shall be made. Your skill in maritime affairs will enable you to judge of the vessel proper for our purpose, in which we wish you to embark yourself for Havre, and on your arrival put the vessel into the care of M. Limozin, to be filled with everything necessary for her to proceed on the designed voyage, at the same time directing M. Limozin to call her and speak of her as his own, after which you will instantly set off for this place, to inform us of your proceedings. Meantime you are, on purchasing, to write first post, not to us, but to *M. Le Grand, Bang., rue Mons. Mart, vis-à-vis, St. Joseph, à Paris*, only saying in a few words that you have made a purchase, and shall draw on him soon for

* 6 B below's Franklin, 56.

the money favor of M. Limozin, or words to that purpose. This letter will be shown us, and we shall regulate our proceedings accordingly.

Should you be obliged, on purchasing, to pay at Dover or Deal, Mons. Le Grand's letter will give a sufficient credit for the purpose, and at Calais or Boulogne you will address yourself, on the score of advice and assistance in money matters, to the persons to whom you will have letters directed, but on no other account, and avoid hinting your proceedings or views to any one. But should Captain Hynsen arrive from London and ~~you~~, let him go in the vessel you purchase to Havre and there wait our further orders. Should he arrive and no vessel be purchased, in such case procure him a passage to Havre, and direct him to apply to M. Limozin for our directions. In the whole, we have to wish you to make the utmost dispatch, and to conduct with the utmost secrecy and the economy consistent with hastening as fast as possible the object in view.

Franklin to Dumas.*

PARIS, January 29, 1777.

My dear friend may be assured that the omission of writing to him for so long a time either by Mr. Deane or myself was not in the least owing to any want of respect or change of sentiment towards him, but merely from the extreme hurry we have been engaged in ever since my arrival, which has prevented our writing to many other of our correspondents. I now inclose several letters, one of which was written by me when in Philadelphia and sent via Martinique; Mr. Deane has but this day received it; another that I wrote soon after my arrival, which has been mislaid.

I hope you and yours are in good health and good spirits, as we are, not doubting of the success of our affairs, with God's blessing. We have nothing to complain of here.

I have taken a lodging at Passy, where I shall be in a few days, and hope there to find a little leisure, free from the perpetual interruption I suffer here by the crowds continually coming in, some offering goods, others soliciting offices in our army, etc.† I shall then be able to write you fully. Be of good cheer, and do not believe half what you read in the English gazettes.

With great esteem, I am ever,

B. FRANKLIN.

* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 225.

† See, as to the advantages of Passy as a residence, introduction, § 125.

Harrison and Lee, Committee of Secret Correspondence, to Bingham.*

BALTIMORE, February 1, 1777.

SIR: As we shall write you shortly again, our attention at present will be confined to your favor of December 6, 1776, in which you mention the conduct of Captain Patterson. We have laid your letter before Congress, and they have appointed a committee to consider of the most proper steps to be taken in this business, that speedy and condign punishment may be applied to Captain Patterson, when his crime shall be duly inquired into and established. The Congress having an utter abhorrence of all irregular and culpable violation of the law of nations, and of that respect and friendship which they entertain for the French nation, we wish you would communicate this to their excellencies the governor and general of Martinique.

Congress has referred the matter of remittance for discharge of the obligation which you and Mr. Harrison have entered into to the State of Maryland, from whence you will no doubt receive remittance as soon as the British ships of war now in the Chesapeake Bay will permit. It is a singular misfortune to us, and very injurious to the commerce of France, that we have not two or three line-of-battle ships, which, with our frigates and armed vessels, would keep open our navigation in despite of Great Britain; but at present one heavy ship affords protection to two or three frigates, that would otherwise be easily removed; and they place themselves so as to shut up the entrance into our principal trading States.

Prior to the Declaration of Independence, as it was not certain how soon our quarrel with Great Britain might be at an end, our armies were enlisted for short periods; and General Howe, having received information of the time when the troops would have it in their power to go home, seized that opportunity marching through the Jerseys; but his career was stopped at the Delaware, and he has since paid severely for that visit.

Since the 24th of December the enemy have lost more than two thousand men in killed and made prisoners. They have been glad to recall their troops from Rhode Island to defend New York from the attack of an army under General Heath; and their whole force in the Jerseys is now collected on the Brunswick Heights, where they are nearly surrounded by General Washington's army, and greatly distressed for forage, fuel, and other necessaries.

We inclose you the late newspapers for your perusal, and remain, sir, your most obedient humble servants,

B. HARRISON.
R. H. LEE.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 187, with verbal changes.

Franklin, Deane and Lee to Vergennes.*

PARIS, February 1, 1777.

Messrs. Franklin, Deane, and Lee, ministers from the Congress of the United States, beg leave to represent to his excellency the Count de Vergennes that, besides the general alarming accounts of the success of English against their country, they have just received authentic intelligence from England that eight thousand men, chiefly Germans, under the command of General Burgoyne, are to be sent early in the spring to America, and to be employed, with some ships of war, in the invasion of Virginia and Maryland.†

That, if not by some means diverted from their design, it will be in their power to destroy a great part of those States, as the houses and estates of the principal inhabitants are situated on the navigable waters, and so separated from each other as to be incapable of being defended from armed vessels conveying troops, the place of whose landing can not be foreseen, and consequently force can not be assembled in all places sufficient to oppose them.

That great danger is also to be apprehended from the blacks of those States, who, being excited and armed by the British, may greatly strengthen the invaders, at the same time that the fear of their insurrection will prevent the white inhabitants from leaving their places of residence and assembling in such numbers for their own defense against the English as otherwise they might do.

That the greatest part of the tobacco of those States is probably collected as usual in the warehouses of the inspectors, which are also situated on navigable waters, and will be liable to be taken and destroyed by the invaders; that the destruction of these two States probably may make an impression on the people in the rest, who, seeing no prospect of assistance from any European power, may be more inclined to listen to terms of accommodation.

That the supplies of arms and ammunition of war, which they have been made to expect from France, having been by various means delayed and retarded, are not likely to arrive before the commencement of the next campaign, and may perhaps be despaired of, especially if those supplies are to be carried first to the French Islands.

That notwithstanding the measures taken to convince the court of Britain that France does not countenance the Americans, that court, according to our information, believes firmly the contrary; and it is submitted to the consideration of your excellency whether, if the English make a conquest of the American States, they will not take the first opportunity of showing their resentment, by beginning themselves the

* MSS. Dep. of State; 1 A. Lee's Life, 67; 1 Sparks' Dip. Rev. Corr., 394.

† This dispatch is claimed to have been framed by A. Lee (1 A. Lee's Life, 67), and the information it gives as to Burgoyne's movements was erroneous and misleading. See index, title A. Lee; and see, *infra* Arthur Lee, Feb. 11, 1777.

war that would otherwise be avoided ; and perhaps beginning it as they did the last, without any previous declaration.

That, upon the whole, we can not on this occasion omit expressing our apprehensions that, if Britain is now suffered to recover the Colonies and annex again their great growing strength and commerce to her own, she will become in a few years the most formidable power by sea and land that Europe has yet seen, and assuredly, from the natural pride and insolence of that people, a power to all the other states the most pernicious and intolerable.

We would, therefore, with all deference, submit it to the wisdom of his majesty and his ministers whether, if the independence of the United States of America, with the consequent diminution of British power and the freedom of commerce with them, be an object of importance to all Europe and to France in particular, this is not the proper time for effectual exertions in their favor, and for commencing that war which can scarcely be much longer avoided, and which will be sanctified by this best of justifications, that a much injured and innocent people will thereby be protected and delivered from cruel oppression and secured in the enjoyment of their just rights ; than which nothing can contribute more to the glory of his majesty and of this nation.

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

Harrison et al., Committee of Secret Correspondence, to the Commissioners
at Paris.*

BALTIMORE, February 2, 1777.

GENTLEMEN : You will receive inclosed copies of our letters of the 21st and 30th of December, and of the resolves of Congress accompanying them. It concerns us not less than we are sure it will you that you should have heard so seldom from us, but the vigilance of the British cruisers has prevented our most earnest solicitude for this purpose. The manner in which they now conduct their business proves the necessity of the request made by Congress for the loan or sale of a few capital ships. The entrance into the Delaware and Chesapeake being narrow, by placing one forty or fifty-gun ship for the protection of their frigates they stop both our commerce and correspondence.

Formerly their frigates protected their tenders, but now that we have frigates their larger ships protect their frigates, and this winter has been so uncommonly favorable, that they have been able to keep the sea, undisturbed by those severe gales of wind so usual off this coast in the winter season ; if we had a few line-of-battle ships to aid our

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 188.

frigates, the commerce of North America, so beneficial to ourselves and so advantageous to France, would be carried on *maugre* the opposition of Great Britain. As we have not received any of those military stores and clothing promised by Mr. Deane, we have much reason to fear they have fallen into the enemy's hands, and will render a fresh supply quite necessary. Except Mr. Deane's favor of September 17, which is but just now received, and that of October 1, we have been as destitute of European as we fear you have been of true American intelligence.

The inclosed papers will furnish you with authentic accounts of our successes against the enemy since the 24th of December. They have paid severely for the visit of parade through the Jerseys, and these events are an abundant proof of British folly in attempting to subdue North America by force of arms. Although the short enlistments had dispersed our army directly in the face of a hostile force, and thereby induced a proud enemy to suppose their work was done, yet they suddenly found themselves attacked on all sides by a hardy, active militia, who have been constantly beating up their quarters, and captivating and destroying their troops; so that in the six or seven last weeks they have not lost much fewer than three thousand men, about two thousand of whom, with many officers, are now our prisoners. Instead of remaining cantoned in the pleasant villages of Jersey, as the inclosed authentic copy of Mr. Howe's order to Colonel Donop (the original of which fell into our hands by the colonel's flight from Bordentown) will show you that general vainly expected would be the case, they are now collected upon the Brunswick Heights, where they suffer every kind of distress from want of forage, fuel, and other necessities, whilst General Washington's army of militia so environs them that they never show their faces beyond their lines but they get beaten back with loss and disgrace. Being thus situated, we have reason to hope that this part of their army (and which is the most considerable part) will by the end of winter be reduced very low by deaths, desertion, and captivity. General Heath, with a body of eastern troops, is making an impression on New York by Kingsbridge, which we understand has obliged the enemy to recall their troops from Rhode Island for the defense of that city.

The regular corps that are to compose the new army are making up in the different States as fast as possible; but arms, artillery, tent cloth, and clothing will be greatly wanted. For these our reliance is on the favor of his most christian majesty. If you are so fortunate as to obtain them, the propriety of sending them in a strong ship of war must be very evident to you, gentlemen, when you know our coasts are so covered with cruisers from twenty to fifty guns, though but few of the latter. We believe they have not more than two ships of forty and two or three of fifty guns in their whole fleet on the North American station; and these are employed—one of them to cover a frigate or two at the capes of each bay, whilst the rest remain at New York.

We beg leave to direct your attention to the inclosed propositions of Congress, and we doubt not you will urge their success with that zeal and careful assiduity that objects so necessary to the liberty and safety of your country demand.

We are exceedingly anxious to hear from you, and remain with particular sentiments of esteem and friendship, gentlemen, your most obedient humble servants,

B. HARRISON.
R. H. LEE.
W. HOOPER.

Personal Pledge of Commissioners.*

PARIS, February 2, 1777.

We, the commissioners plenipotentiary from the Congress of the United States of America, are unanimously of the opinion that if France or Spain should conclude a treaty of amity and commerce with our States, and enter into a war with Great Britain in consequence of that, or of open aid given to our States, it will be very right and proper for us, or in the absence of the others for any one of us, to stipulate and agree that the United States shall not separately conclude a peace, nor aid Great Britain against France or Spain, nor intermit their best exertions against Great Britain during the continuance of such war; provided always that France and Spain do on their part enter into a similar stipulation with our States.

BENJAMIN FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

* In 1 Arthur Lee's Life, 69, this paper is given with the following explanation:

The author has found among the MSS. of Mr. Lee a paper, with a note attached to it, both signed by the three commissioners, and containing private resolutions for their own conduct. The note is in the handwriting of Mr. Lee. It contains sentiments of devotion to their country most honorable to the commissioners and touching to the heart of an American reader.

"It is further considered that in the present perils of the liberties of our country it is our duty to hazard everything in their support and defense:

"Therefore resolved unanimously, That if it should be necessary to the attainment of anything in our best judgment essential to the defense and support of the public cause, that we should pledge our persons, or hazard the censure of the Congress, by exceeding our instructions, we will for such purpose most cheerfully resign our personal liberty or life.

"BENJAMIN FRANKLIN,
"SILAS DEANE,
"ARTHUR LEE,

Deane to Committee of Secret Correspondence.*

PARIS, February 6, 1777.

GENTLEMEN: The bearer, Monsieur Holtzendorff, is a Prussian officer, who served the last war in Germany, and with reputation. Gentlemen of first character in the army here have recommended him as an excellent officer, both for skill and bravery. I take, therefore, the liberty of recommending him to the service of the United States. He leaves a major's post here in the army of France, hoping by his services in America to advance himself beyond what he can expect in Europe in a time of peace.

I shall as soon as possible send you a particular account of all my proceedings to the time of the arrival of Dr. Franklin, which I have in a great measure done already, though in detached parts in different letters, some of which may undoubtedly miscarry.

I am, with much respect, etc.,

SILAS DEANE.

Franklin, Deane, and Lee to Committee of Secret Correspondence.†

PARIS, February 6, 1777.

GENTLEMEN: Since our last, a copy of which is inclosed, Mr. Hodge arrived here from Martinique, and has brought safely the papers he was charged with. He had a long passage, and was near being starved. We are about to employ him in a service pointed out by you at Dunkirk or Flushing. He has delivered us three sets of the papers we wanted, but we shall want more, and *beg you will not fail to send them by several opportunities.*

A private company has just been formed here for the importation of tobacco, who have made such proposals to the Farmers-General as induced them to suspend the signing of their agreement with us, though the terms had been settled and the writings drawn. It seems now uncertain whether it will be revived or not. The company have offered to export such goods as we should advise, and we have given them a list of those most wanted. But so changeable are minds here, on occasion of news, good or bad, that one can not be sure that even this company will proceed. With a universal good will to our cause and country, apparent in all companies, there is mixed a universal apprehension that we shall be reduced to submission, which often chills the purposes of serving us. The want of intelligence from America, and the impossibility of contradicting by that means the false news spread here, and all over Europe, by the enemy, has a bad effect on the minds of many who would adventure in trade to our ports, as well as on the conduct of the several governments of Europe. It is now more than three

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 77.

†MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 190, with verbal changes.

months since our B. F. left Philadelphia, and we have not received a single letter of later date, Mr. Hodge having left that place before him.

We are about purchasing some cutters to be employed as packets. In the first we dispatch we shall write more particularly concerning our proceedings here than by these merchant ships we can venture to do, for the orders given to sink letters are not well executed. One of our vessels was lately carried into Gibraltar, being taken by an English man-of-war, and we hear there were letters for us, which the captain, just as he was boarded, threw out of the cabin windows, which, floating on the water, were taken up, and a sloop dispatched with them to London. We also just now hear from London (through the ministry here) that another of our ships is carried into Bristol by the crew, who, consisting of eight American seamen, with eight English, and four of the Americans being sick, the other four were overpowered by the eight English and carried in as aforesaid. The letters were dispatched to court.

From London they write to us that a body of ten thousand men, chiefly Germans, are to go out this spring, under the command of General Burgoyne, for the invasion of Virginia and Maryland.* The opinion of this court, founded on their advices from Germany, is that such a number can by no means be obtained; but you will be on your guard. The *Amphitrite* and the *Seine* from Havre, and the *Mercury* from Nantes, are all now at sea, laden with arms, ammunition, brass field pieces, stores, clothing, canvas, etc., which, if they arrive safely, will put you in a much better condition for the next campaign than you were for the last.

Some excellent engineers and officers of the artillery will also be with you pretty early; also some few for the cavalry. Officers of infantry, of all ranks, have offered themselves without number. It is quite a business to receive the applications and refuse them. Many have gone over at their own expense, contrary to our advice. To some few of those, who were well recommended, we have given letters of introduction.

The conduct of our general, in avoiding a decisive action, is much applauded by the military people here, particularly Marshals Maillebois, Broglie, and D'Arcy. M. Maillebois has taken the pains to write his sentiments of some particulars useful in carrying on our war, which we send inclosed. But that which makes the greatest impression in our favor here is the prodigious success of our armed ships and privateers. The damage we have done their West India trade has been estimated, in a representation to Lord Sandwich,† by the merchants of

* As to error and authorship of this statement, see note to Commissioners to Vergennes, Feb. 1, 1777; A. Lee to committee, Feb. 11, 1777.

† John, Earl of Sandwich, was first lord of the admiralty in December, 1748, and was again appointed to that office in April, 1763. He was secretary of state in 1763 and in 1770. In January, 1771, he was again placed at the head of the admiralty, where

London, at one million eight hundred thousand pounds sterling, which has raised insurance to twenty-eight per cent., being higher than at any time in the last war with France and Spain. This mode of exerting our force against them should be pushed with vigor. It is that in which we can most sensibly hurt them, and to secure a continuance of it we think one or two of the engineers we send over may be usefully employed in making some of our ports impregnable. As we are well informed that a number of cutters are building, to cruise in the West Indies against our small privateers, it may not be amiss, we think, to send your larger vessels thither, and ply in other quarters with the small ones.

A fresh misunderstanding between the Turks and Russia is likely to give so much employment to the troops of the latter as that England can hardly expect to obtain any of them. Her malice against us, however, is so high at present, that she would stick at no expense to gratify it. The New England colonies are, according to our best information, destined to destruction, and the rest to slavery under a military government. But the Governor of the world sets bounds to the rage of men as well as to that of the ocean.

he remained until the breaking up of the North administration in 1782. Profigate in morals to the last degree, he was a good business man, and, in matters in which conscience was not concerned, was a ministerial leader in the House of Lords. Towards America his tone was uniformly insolent, contributing not a little to the growing alienation of the Colonies from the mother country. He had taken part in Wilkes' worst orgies; but nevertheless thought proper to move in prosecuting Wilkes in the House of Lords for an indecent poem. From this he derived the title, more than once noticed in the following papers, of "Jemmy Twitcher," the informant made conspicuous in the Beggar's Opera, then very popular. His charging on Franklin the authorship of Chatham's conciliation bill of 1775 is noticed above. A full report is given in 18 Parl. Hist., 211. See also 2 Jesse's Geo. III, 586.

Of Sandwich's coarse and insolent assaults on American courage and character notice has been already taken, introduction §21; and also of his dissoluteness and indifference to duty, *ibid.*, §28.

As first lord of the admiralty, during the greater part of the revolutionary war, he shared with Germain the management of British military affairs while they held office jointly. Of his attack on Wilkes in the House of Lords Horace Walpole thus writes:

"On the first day [of the session] Lord Sandwich laid before the house the most blasphemous and indecent poem that ever was composed, called 'An essay on woman, with notes by Dr. Warburton.' I will tell you none of the particulars; they were so exceedingly bad that Lord Littleton begged the reading might be stopped. The house was amazed; nobody ventured even to ask a question; so it was easily voted everything you please and a breach of privilege into the bargain." (Walpole to the Earl of Hertford, Nov. 17, 1763; 4 Cunningham's Walpole, 126.)

"Notwithstanding Lord Sandwich's masked battery the tide runs violently for Wilkes, and I do not find people in general so much inclined to excuse his lordship as I was. One hears nothing but stories of the latter's impiety, and of the concert he was in with Wilkes on that subject." (Same to same, Nov. 18, 1763, *id.*, 128.) "Mr. Wilkes complains that he never read it (the objectionable poem) but to two persons, who both approved it highly, Lord Sandwich and Lord de Spencer. * * * The wicked even affirm that very lately at a club with Mr. Wilkes, held at the top of

Finding that our residence here together is nearly as expensive as if we were separate, and having reason to believe that one of us might be useful at Madrid, and another in Holland and some courts farther northward, we have agreed that Mr. Lee go to Spain, and either Mr. Deane or myself (Dr. Franklin) to The Hague. Mr. Lee sets out to-morrow, having obtained passports and a letter from the Spanish ambassador here to the minister there. The journey to Holland will not take place so soon. The particular purposes of these journeys we can not prudently now explain.

It is proper we should acquaint you with the behaviour of one Nicholas Davis, who came to us here, pretending to have served as an officer in India, to be originally from Boston, and desirous of returning to act in defense of his country, but through the loss of some effects coming to him from Jamaica, and taken by our privateers, unable to defray the expense of his passage. We furnished him with 30 louis, which was fully sufficient; but at Havre, just before he sailed, he took the liberty of drawing on us for near 40 more, which we

the playhouse in Drury Lane, Lord Sandwich talked so profanely that he drove two harlequins out of company." (Walpole to Mann, Nov. 17, 1763, *id.*, 133.)

Sandwich was charged with having detained the Toulon squadron at Portsmouth in April, 1778, when it was required to meet the French in the Channel, in order to "divert their majesties" with a naval review. (Walpole to Mann, May 9, 1778, 7 Cunningham's Walpole, 59.)

"Lord Sandwich has run the gauntlet in the Lords for all the lies he has told all the winter about the fleet." (Walpole to Mason, May 31, 1778, *id.*, 72.)

"Last night as Miss Ray was getting into her carriage at Covent Garden from the play a clergyman shot her through the head and then himself. * * * Lord Sandwich was at home expecting her to supper at half an hour after 10. On her not returning an hour later, he said something must have happened. However, being tired, he went to bed at half an hour after 11, and was scarce in bed before one of his servants came in and said Miss Ray was shot. He stared and could not comprehend what the fellow meant, nay, lay still, which is full as odd a part of the story as any. At 12 came a letter from the surgeon to confirm the account, and then he was extremely afflicted. Now, upon the whole, madam, is not the story as strange as ever it was? Miss Ray has six children, the eldest son is fifteen, and she was at least three times as much." (Walpole to Lady Ossory, April 9, 1779, 7 Cunningham's Walpole, 190.)

"There has been a motion in each house this week for the removal of Lord Sandwich for misconduct as first lord of admiralty, but both houses think him as white as snow." (Walpole to Mann, April 24, 1779, *id.*, 196.)

In the riots of May, 1780, Lord Sandwich was "near massacred." (*Id.*, 385, 408.)

Resolutions censuring Sandwich having been introduced into the House of Commons, a resolution approving his course was passed on Feb. 8, 1782, by a vote of 205 to 183. "On Wednesday last Mr. Fox renewed the attack on Lord Sandwich, who was saved by a majority of but 19." (Walpole to Mann, Feb. 25, 1782, 8 Cunningham's Walpole, 165.)

After Sandwich's resignation, on the fall of the North ministry, Walpole thus writes: "Lord Sandwich, though certainly a man of abilities, was grown obstinate, peevish, intractable, and was not born for great actions. He loved subtlety and tricks and indirect paths, qualities repugnant to genius." (Walpole to Mann, May 5, 1782, 8 Cunningham's Walpole, 218.)

have been obliged to pay. As, in order to obtain that credit, he was guilty of several falsities, we now doubt his ever having been an officer at all. We send his note and draft, and hope you will take proper care of him. He says his father was a clergyman in Jamaica. He went in the *Seine*, and took charge of two blankets for Mr. Morris.

We hope your Union continues firm and the courage of our countrymen unabated. England begins to be very jealous of this court, and we think with some reason.

We have the honor to be, etc.,

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

Franklin and Deane to the President of Congress.*

PARIS, February 6, 1777.

SIR: This will be delivered to you by M. de Coudray, † an officer of great reputation here for his talents in general, and particularly for skill and abilities in his profession. Some accidental circumstance, we understand, prevented his going in the *Amphitrite*; but his zeal for our cause and earnest desire for promoting it have engaged him to overcome all obstacles, and render himself in America by the first possible opportunity. If he arrives there, you will, we are persuaded, find him of great service, not only in the operations of the next campaign, but in forming officers for those that may follow. We, therefore, recommend him warmly to the Congress and to your countenance and protection.

Wishing you every kind of felicity we have the honor to be, with the highest esteem, etc.

B. FRANKLIN.
SILAS DEANE.

Franklin, Deane, and Lee to Germain.†

PARIS, February 7, 1777.

Whereas the schooner *Dickenson*, with her cargo, which was the property of the Congress of the United States of America, was by an act of piracy in some of her crew carried into the port of Bristol, in England, and there, as we are informed, was converted to the use of the Government of Great Britain, and the perpetrators of so base and dishonest an action, the mate, etc., were rewarded instead of being punished for

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 193.

† See Deane to committee, Jan. 20, 1777, *supra*. As to Coudray, see introduction, § 82.

‡ 6 Bigelow's Franklin, 65. As to Germain, see index, Germain.

their wickedness, and whereas another vessel, with her cargo of tobacco, being also the property of the United States or of some inhabitants of the same, was lately carried into the port of Liverpool, in England, by a similar act of treachery in her crew, and a third has in the same manner been carried into Halifax.

We therefore, being commissioners plenipotentiary from the Congress of the United States of America, do, in their name and by their authority, demand from the court of Great Britain a restitution of those vessels and their cargoes, or the full value of them, together with the delivery of the pirates into our hands, to be sent where they may be tried and punished as their crimes deserve.

We feel it our duty to humanity to warn the court of Great Britain of the consequences of protecting such offenders and of encouraging such actions as are in violation of all moral obligation, and therefore subversive of the firmest foundation of the laws of nations.

It is hoped that the Government of Great Britain will not add to the unjust principles of this war such practices as would disgrace the meanest state in Europe, and which must forever stain the character of the British nation.* We are sensible that nothing can be more abhorrent from the sentiments and feelings of the Congress of the United States than the authorizing so base a kind of war as a retaliation of these practices will produce. We are therefore more earnest in pressing the court of Great Britain to prevent, by the act of justice which is demanded, the retaliation, to which necessity, in repugnance to principles, will otherwise compel.

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

A. Lee to the Committee of Secret Correspondence.†

NANTES, February 11, 1777.

GENTLEMEN: I received the inclosed dispatches at this place on my way to Spain. By the information I have from London, which, I think, may be depended upon, the plan of operations is for Howe and his recruited army to act against New England, while Carleton makes his way over the lakes to keep the middle colonies in awe; and Burgoyne, with an armament from England of ten thousand, if it can be procured, invades the South, probably Virginia and Maryland.‡

* The attorney-general in the very year this letter was written instituted criminal proceedings against an English clergyman for inviting subscriptions for the relief of wounded Americans.—BIGELOW.

† MSS. Dep. of State: 1 Sparks' Dip. Rev. Corr., 395, with verbal changes.

‡ "This intelligence," says Sparks, "which was entirely erroneous, was probably sent into France by design, with a view of creating there a false impression as to the real plans of the British Government." It is probably a part of information received

The intelligence from England is that ten thousand Germans are actually engaged, while the French minister and the Spanish ambassador both assure us that it is with very great difficulty the enemy can procure the recruits necessary to keep up the number formerly stipulated. That the force of their different armaments will fall greatly short of what they intend I believe, but it seems to me almost certain that the three attacks will be made.

That their utmost efforts will be made this campaign is infallible, because nothing is more certain than that the present state of Europe forbids every expectation of their being long unemployed nearer home.

If, therefore, they do not succeed this year against us there is an end of their prospects of ravage and revenge. Even at this moment they have put everything at hazard; England, Ireland, and Hanover being left almost defenseless by their efforts against us. I should submit whether it is not fit that it should be made known to the army, that the forces to be sent this year, both from England and Germany, are new raised, and therefore totally undisciplined, because the attacking such troops on their first arrival would be taking them in their weakest state, and they ought not to carry with them the terror of disciplined troops, which in fact they are not, and of which it would encourage their opponents to be apprized.

The French minister told me when I took leave that the King of Great Britain had endeavored in vain to get troops in Germany to supply the place in Hanover of those which he sent to garrison Gibraltar. All these things concur to show that they are pressed on every side to make this last effort against our liberties, which I trust will be met with proportionable exertions on our part, and under the providence of Heaven defeated.

The losses which the enemy's West India trade has suffered by captures this year has determined the Government to make provision against it in future by sending a number of armed cutters, which will take the small cruisers which have hitherto been so successful against their West Indiamen. These, too, are to be armed as in time of war. I therefore submit to your consideration the propriety of marking out another line of cruising for the small privateers, and sending such only into the gulf as are of force to drive off the cutters and make prize of the armed West Indiamen.

Whatever orders you have for me will be forwarded from the ports of Spain; and I must beg a few blank commissions for privateers, as it

by Arthur Lee, from Thornton, his secretary, who was under British pay, and who, while disclosing to the British ministry the plans of the Amercian commissioners, was furnished in return with false statements of British movements to be used as decoys. (See introduction, §§ 150, 151.) The same erroneous predictions are made in a letter by the commissioners to Vergennes, Feb. 1, 1777, given *supra*, which letter is stated in 1 A. Lee's Life, 67, to have been drawn by Arthur Lee. See also Arthur Lee's letter to the same effect, of Feb. 18, 1777.

will be one part of my endeavors to excite the merchants in Spain to cruise against our enemies.

We have been so repeatedly warned of bad arms being sent from hence, that I can not help mentioning the necessity of having the muskets proved wherever it can be done before they are paid for. This, too, suggests the propriety of not advancing money for goods, since, though the very capital merchants in France are men of honor, and will not impose, yet the middle and lower orders of them are often directly the reverse.

Bewick & Co., at Cadiz, will not pay the proceeds of the *Sally* to Mr. Schweighausser, upon a pretense of not having any order so to do; but it seems their real design is to keep the money in their hands for what they pretend is due to them from Messrs. Willing, Morris & Co. I shall endeavor to have them compelled to do justice in this business, and you will determine how far they are to be trusted for the future. A large cargo of woolens, linen, cordage, and sail-cloth will be dispatched from hence in three weeks, which, I hope, will reach their destination in time.

I could have wished that my present destination had been specifically ordered by you, with respect to the court, as that would have imparted a respect and consideration for them which might have greatly facilitated my object, which, I apprehend, will meet with some obstacle in the umbrage which the want of that attention and the apparent preference given where it is, perhaps, less deserved, may possibly occasion. Perhaps that may yet be remedied by some such power if it should seem proper to you.*

The corporation here have lowered the city duty on tobacco, brought from America into this port, in order to encourage a commerce with us, for which I have thought it my duty to return them thanks.

Upon examination, I find your commercial connections here greatly deranged. It appears to have been the first plan of the committee to place Mons. Schweighausser† as a check over Mons. Pennet. The established character and credit of the former were to control the confidence reposed in the latter, who, the committee say, "had not such recommendations as they could wish." For this purpose the consignments were to be made Mous. Schweighausser, out of which he was to pay Mons. Pennet for such goods as were shipped on your account, after being inspected and approved by the former. This was certainly a wise plan and a necessary precaution. In my humble judgment it still continues to be absolutely necessary; but instead of the consignments having been made to Mr. Schweighausser, they have been chiefly addressed directly to Pennet; in consequence of this, the latter has not submitted the goods sent to the inspection of the former, and Mr. Schweighausser has reason to complain of his being neglected, after an

* See letter of commissioners to committee of Feb. 6, 1777, given *supra*, for the views of the commissioners.

† See Index, *Schweighausser*.

express promise given him of your consignments, without his being able to conceive in what he has offended. These are facts which I think it my duty to state to you. Mons. Montanduine and Mons. Schweighausser are certainly the first in rank and reputation here. It is of much more consequence that merchants of this description should be your correspondents here than it is in England, because they have an influence with Goverment which those of an inferior order have not. Of this order is Mr. Gruel, and still lower M. Pennet; but the credit and character of the former are exceedingly well established.

The rigor of the season, the badness of the roads, and the slowness of conveyance in Spain, will protract my journey miserably; but you may depend upon my using every diligence to reach my destination in time to make the best advantage of the present critical situation of affairs.

I have the honor to be, etc.,

ARTHUR LEE.

Agreement* of February 13, 1777, between the Commissioners and certain French Officers.

First. It is agreed that the Congress of the United States of America shall grant to the Chevalier du Portail, now lieutenant-colonel in the royal corps of engineers of France, the rank of colonel in their service.

Second. The Congress of the United States of America will grant to Mons. de Laumoy, now major in the royal corps of engineers of France, the rank of lieutenant-colonel in their service.

Third. The Congress of the United States of America will grant to Mons. de Gouvion, now captain in the royal corps of engineers of France, the rank of major in their service.

Fourth. Messrs. Le Chevalier du Portail, de Laumoy, and de Gouvion, shall be at liberty to quit the service of the United States, provided it is not during a campaign, or during any particular service, unless ordered so to do by the King of France; and the Congress may dismiss them, or any of them, whenever they may judge it proper.

Fifth. If all or either of these gentlemen should be made prisoners by the King of Great Britain, the Congress shall use all due means to obtain their liberty.

Sixth. These gentlemen shall use all possible diligence in preparing for their embarkation, in order to reach Philadelphia, or wherever else the Congress of the United States may be, to obey their orders.

Seventh. The pay of these gentlemen shall be such as is given to

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 194. For comments on this contract, see Lovell to Washington, July 24, 1777, *infra*. For du Portail, see introduction, § 78; for Coudray, see introduction, § 82.

officers of their rank in the service of the States of America, and shall commence from the date of this agreement.

Eighth. These gentlemen shall procure and provide for their own passages, in such ships and in such manner as they shall think proper.

The above agreement is entered into and concluded by us, this 13th day of February, 1777.

B. FRANKLIN.
SILAS DEANE.
DU PORTAIL.*
GOUVION.
LAUMOY.

A. Lee to Committee of Secret Correspondence.^t

NANTES, *February 14, 1777.*

GENTLEMEN: The inclosed book is esteemed a work of genius, and as such I have thought it proper to be sent to you. We were acquainted with the author in Paris, who is a man of very high character, and so strongly our friend, that I have no doubt if the want of his second volume, which is not yet published, should render any explanation necessary, he will give it with pleasure.

Since I had the honor of writing yesterday, Mr. Thomas Morris has informed me of the agreement which he has just concluded with the Farmers-General for all the tobacco which shall arrive here on your account, at seventy livres a hundred. It was probably in contemplation of this that they refused to sign the treaty with us, after they had pledged their word for it. Our object was to interest Government here, through them, in our commerce, so much as to secure their utmost protection of it; to insure the export of our produce, which we apprehended the scarcity of shipping and sailors would render impracticable in our own bottoms, and to command a considerable advance of ready money for a full supply of arms, ammunition, rigging, etc., which we might convey with more certainty under their protection. To compass these objects, we were induced to offer them such tempting terms. The price they have now agreed to give is certainly a good one, but I fear it will not retrieve us from our difficulties, as there is no advance stipulated, and the difficulty of exportation seems to increase daily.

Our latest intelligence from England informs us that a bill is now passing for granting letters of marque against you, or rather for repealing so much of their former act as confined it to the navy. The press there still continues very violent, but not equally productive; that, together with the great preparations of France and Spain, seems to render the continuance of peace for many months impossible. From every-

* As to du Portail, see index under his name.

^tMSS Dep. of State; 1 Sparks' Dip. Rev. Corr., 399, with omissions and verbal changes.

thing that I can learn, their armaments against you will be very late, if the situation of Europe will suffer them at all; but it is best to prepare for their plan, as if it would be executed in its fullest extent, for it is impossible to have such reliance upon the politics of Europe as would justify the hazarding much upon their issue.

I believe you have not yet been apprised of what it may be material for you to know, which is that the British Government offered to deliver the prisoners taken on Long Island to the East India Company, to be sent to their settlements, if the company would send for them to Gibraltar. This proposition is upon record in the company's books, a general court having been held expressly upon it. [Compared with other things it may possibly seem to show their good faith; and it is a sufficient evidence of their merciless and tyrannical disposition towards us.]*

I have the honor of being, etc.,

ARTHUR LEE.

Gardoqui to A. Lee.†

MADRID, February 17, 1777.

SIR: My person and house, in a commercial way, are well known in the American colonies, not only on account of our long standing correspondence of thirty to forty years, but also on that of the true affection with which we have endeavored to serve them. I am lately arrived at Madrid, on some particular affairs which have occasioned my treating with the ministers of state, who have honored me with their especial favors and trust, and of course this has led me into the bottom of the principal affairs of Europe, among which I have talked about your coming from Paris to Spain, undoubtedly with the design of treating on the subject of the Colonies, as I judge they have already done, and continue doing, at Paris. But I have heard that in such a small place as Madrid it will be absolutely impossible to remain *incog.*, either by your own or any other name, and you would of course be spied by the gentlemen here who have a real interest therein, and consequently you could not treat with the ministers without hurting the Colonies in the highest degree by your own doings; and, besides, you would set this court at variance without success. I judge you will improve the opportunity which offers by chance, and I think is an excellent one, and have therefore no objections to hint it to you, being fully assured that it will cause no displeasure here.

The Marquis of Grimaldi intends to set out soon for Biscay, and I propose to do the same for my house at Bilboa, all which we shall so manage as to meet one and the other at Victoria, where we shall tarry under some good disguise until our mutual arrival; and as this noble

* Passage in brackets omitted by Sparks.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 400, with verbal changes.

minister has had to this day the entire direction of all affairs, and is of course fully acquainted with his majesty's intentions, I believe he is the only person with whom you may treat, either in said place or some country house that might be picked up for the purpose, and thereby avoid the inconveniences which must inevitably follow by your coming to Madrid. By the aforesaid belief, I have given you a further proof of my attachment to the Colonies, and I must also add, with all truth, that the principal persons here are of the same opinion, although the present state of affairs obliges them to make no show thereof. In short, sir, I hope you will approve of my proposed method being the safest and most natural to carry on the views of both parties. I beg you will give me an answer through the same hands as will deliver the present to you, not doubting that you will tarry at Victoria until we get there, and you will also observe that you will be at full liberty to proceed to Madrid, if you should judge proper, after you have talked over the matter with the said nobleman.

I have the honor to subscribe myself, etc.,

JAMES GARDOQUI.

P. S.—Having considered upon the properest place for our meeting, we have settled it on that of Burgos instead of Victoria, which pray note accordingly, and I hope to meet you there.

[In a letter dated at Burgos, February 28, 1777, Mr. Lee replied to the above as follows: "I have the honor of yours of the 17th, and, agreeable to your request, will wait for you at this place.]

A. Lee to Committee of Secret Correspondence.*

BORDEAUX, February 18, 1777.

GENTLEMEN: On my arrival here, on my way to Madrid, I found a letter dated February 2, from a confidential correspondent, which contains the following passages: "Ten thousand Germans are already engaged, and ships sent to convey them; the number of British can not exceed three thousand, and those very indifferent; but much is expected from their being sent early. *Boston is certainly to be attacked in the spring. Burgoyne will command.* Howe will probably attack Philadelphia. The Government expect great advantage from dissensions in Philadelphia.†

Finding that our commerce here labors under great difficulties from

* 1 Sparks' Dip. Rev. Corr., 401.

† As to this announcement, see introduction, §150, and A. Lee's letter of Feb. 11, *supra*. The frequency with which this statement was pressed on Lee by a "confidential correspondent" shows how important it was deemed in England that the statement should reach America. As to Thornton's perfidy, see index, Thornton, introduction, §207.

the heavy duties laid on fish, oil, wax, etc., I have directed an account of it to be transmitted to your commissioners at Paris, together with an estimate of the imports and exports during the last year from the United States, that they may be better enabled to negotiate an alleviation or removal of the duties which were originally intended to discourage the British commerce.

I had the honor of stating to you a year ago that tobacco was the most weighty political engine we could employ with the French court. It is absolutely necessary to the Farmers-General, and the farmers as absolutely necessary to the government.

Mr. Delap informs me that there are several more cargoes belonging to the Congress in the hands of merchants in Spain, the proceeds of which can not be obtained. I have written to Mr. Morris, at Nantes, begging the favor of him to send me a proper account of them, that I may complain of those merchants at the court of Spain. There is a ship at Nantes, totally deserted by her crew, which has been lying there many months unregarded, at an expense to the Congress of one hundred dollars per month. I have advised Mr. Schweighauser to consult with Mr. Morris about selling her, which ought to have been done as soon as her crew quitted her.

The ship, too, which was intrusted to Mr. Myrtle, is lying here at a considerable charge, and no appearance of her return.

I inclose you Captain Cleveland's account of Mr. Myrtle's conduct, which he wishes may be offered in his justification. I have referred him to Dr. Franklin for advice.

I have the honor of being your obedient servant,

ARTHUR LEE.

Harrison and Lee, Committee of Secret Correspondence, to the Commissioners in Paris.*

BALTIMORE, February 19, 1777.

GENTLEMEN: The events of war have not, since our last, furnished anything decisive. The enemy's army still remains encamped upon the hills near Brunswick, and our troops still continue to beat back their convoys, insomuch that we understand their horses die in numbers, and we have reason to believe that the difficulty of removing their stores, cannon, etc., will be insuperably great until the opening of the Rariton furnishes a passage by water for their return to New York. The American army is not numerous at present; but the new levies are collecting as fast as possible, and we hope to have a sufficient force early in the field.

We hear, by the speech of the King of Great Britain to his Parlia-

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 195, with verbal changes.

ment, that much money will be called for, no doubt to prosecute the war with unrelenting vigor. That we shall oppose with all our power will be certain; but the event must be doubtful, until France takes a decisive part in the war. When that happens, our liberties will be secured, and the glory and greatness of France be placed on the most solid ground. What may be the consequence of her delay must be a painful consideration to every friend of liberty and mankind. Thus viewing our situation, we are sure it will occasion your strongest exertions to procure an event of such momentous concern to your country. It is in vain for us to have on hand a great abundance of tobacco, rice, indigo, flour, and other valuable articles of merchandise, if prevented from exporting them by having the whole naval force of Great Britain to contend against. It is not only for the interest of these States, but clearly for the benefit of Europe in general, that we should not be hindered from freely transporting our products that abound here and are much wanted there. Why should the avarice and ambition of Great Britain be gratified to the great injury of other nations?

Mr. Deane recommends sending frigates to France to convoy our merchandise; but it should be considered that we have an extensive coast to defend; that we are young in the business of fitting out ships of war; that foundries for cannon are to be erected; the great difficulty of getting seamen quickly, when privateers abound as they do in the States where sailors are chiefly to be met with; and, lastly, that our frigates are much restrained by the heavy ships of the enemy, which are placed at the entrance of our bays. In short, the attention of Great Britain must be drawn in part from hence before France can benefit largely by our commerce. We sensibly feel the disagreeable situation Mr. Deane must have been in from the receipt of the committee's letter in June and the date of his own letter in October; but this was occasioned by accident, not neglect, since letters were sent to him in all the intervening months, which have either fallen into the enemy's hands or have been destroyed. From the time of Dr. Franklin's sailing until we arrived at this place, the ships of war at the mouth of the Delaware and the interruption given the post, added to the barrenness of events, prevented us from writing when we had no particular commands from Congress for you.

Mr. Bingham informs us from Martinique that he learned from a Spanish general there, on his way to South America, that the King of Spain was well disposed to do the United States offices of friendship, and that a loan of money might be obtained from that court. As the power sent you for borrowing is not confined to place, we mention this intelligence, that you may avail yourselves of his catholic majesty's friendly designs. Perhaps a loan may be obtained there on better terms than elsewhere. We expect it will not be long before Congress will appoint commissioners to the courts formerly mentioned, and in the

mean time you will serve the cause of your country in the best manner with the ministers from those courts to that of Versailles.

Earnestly wishing for great news and quickly from you, we remain, with friendship and esteem, honorable gentlemen, etc.,

B. HARRISON.

R. H. LEE.

P. S.—Congress adjourns this week back to Philadelphia.

A. Lee to the Commissioners in Paris.*

VITORIA, February 26, 1777.

DEAR SIRS: I am thus far safe on my journey, which by the spur of 6 pistoles more I am to finish two days sooner than was at first agreed. Therefore, if no accident happens, I shall reach my destination the 6th of next month. In the committee's letter of the 23d of October to me it is said: "We are to negotiate with other nations agreeable to certain plans and instructions transmitted to Mr. Deane." I have none with me, nor do I remember to have seen any but those which relate expressly to France, and that plan has already been transmitted where I am going. Nothing is more likely than my being asked what I have to propose, particularly relative to this meridian. This question was put to us on our first visit to ——— ———.† But the same answer will not serve here. I must entreat you, therefore, to favor me with your ideas upon this particular. What alteration would you think proper in that plan when applied to this country? It is best to be prepared for every favorable moment that may offer. This must plead my pardon for urging as speedy an answer as possible. It would grieve me to be put to the alternative of letting a favorable opportunity pass unembraced, or of hazarding a measure of so much moment to the public upon my weak judgment and very limited information.

With my best wishes for your health and success, and begging to be remembered kindly to our friends, I have the honor to be, with the greatest esteem, dear sirs, your obedient servant,

ARTHUR LEE.

Deane to Committee of Secret Correspondence.‡

PARIS, February 27, 1777.

GENTLEMEN: This will be delivered to you by Captain Goy, who, with his lieutenant and two sergeants, embark with thirty field pieces, ten ton of powder, ball, lead, etc., which I wish safe and in season for

* 1 Sparks' Dip. Rev. Corr., 402.

† This blank should probably be filled up with the name of Count d'Aranda, the Spanish ambassador in France.—SPARKS.

‡ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 77, with verbal changes.

service, though delayed beyond my expectations. Captain Goy has the best of recommendations from officers of distinction here and I am confident will be found of great service in the artillery, a part of which he accompanies. Dr. Franklin is at present in the country, in good health, and we shall jointly write you very particularly in a few days; meantime we are without any intelligence from Congress since he left Philadelphia in October last. I will not attempt to give you an idea of the difficulties which are the consequence of our being left thus without intelligence, nor the anxiety it occasions in our minds, but must urge you to take some effectual measures for keeping up a correspondence with us in future, without which many proposals of the utmost importance to the United States are extremely embarrassed and in danger of failing.

I have the honor to be, with the most profound respect, etc.,

SILAS DEANE.

Beaumarchais to Congress.*

[Extract.]

PARIS, February 28, 1777.

GENTLEMEN: I have the honor to fit out for the service of Congress, by the way of Hispaniola, the ship *Amelia*, loaded with field and ordnance pieces, powder and leaden pigs. As the season is too far advanced that the ship might go straightway to your ports, I have charged M. Carabane, my correspondent at Cape Francois, to reverse the whole cargo on Bermudian or even on American ships, if he finds any at her arrival in that port, and to transmit to you as soon as possible.

This is the fourth ship I have addressed to you since December last; the other three have steered their course towards your eastern ports.

The first is the *Amphitrite* of 480 tons, Captain Sautrel, loaded with cannons, muskets, tents, intrenching tools, tin, powder, clothing, etc. Left Havre de Grace on the 14th of December, 1776.

The second is the *Seine*, from the same port, Captain Morin, of 350 tons, loaded with muskets, tents, mortars, powder, tin, cannons, musket balls, etc.

The third is the *Mercury*, of 317 tons, Captain Herand, from Nantz, loaded with one hundred thousands of powder, 12,000 muskets, the remainder in cloth, linen, caps, shoes, stockings, blankets, and other necessary articles for the clothing of the troops.

In my letters of August, September, and December last the duplicates of which have been delivered to you by the chief officer of those that went over to your service in the *Amphitrite*, I have requested you to

* House Doc. No. 111, Fifteenth Congress, first session. See introduction § 61 *ff.*

order that my ships might not expect long for remittances; I ask you in the same letters, my design being to send you uninterrupted supplies and such as may be of the greatest use to you. I hope on your side you will be as quick as possible, load again, and send me back my vessels.

Washington to Jay.*

[Private.]

MIDDLEBROOK, March 1, 1777.

DEAR SIR: I have been a little surprised that the several important pieces of intelligence lately received from Europe (such parts of it, I mean, as are circulated without reserve in conversation) have not been given to the public in a manner calculated to attract the attention and impress the minds of the people. As they are now propagated, they run through the country in a variety of forms, are confounded in the common mass of general rumors, and lose a real part of their effect. It would certainly be attended with many valuable consequences if they could be given to the people in some more authentic and pointed manner. It would assist the measures taken to restore our currency, promote the recruiting of the army and our other military arrangements, and give a certain spring to our affairs in general.

Congress may have particular reasons for not communicating the intelligence officially (which would certainly be the best mode if it could be done), but if it can not it were to be wished that as much as is intended to be commonly known could be published in as striking a way, and with as great an appearance of authority as may be consistent with propriety.†

I have taken the liberty to trouble you with this hint, as sometimes things the most obvious escape attention. If you agree with me in sentiment, you will easily fall upon the most proper mode for answering the purpose.

With great esteem, etc.,

GEO. WASHINGTON.

Franklin and Deane to Committee of Secret Correspondence.‡

PARIS, March 4, 1777.

GENTLEMEN: We send you herewith the draft of a frigate by a very ingenious officer in this service, which appears to us peculiarly suitable for our purpose, and we are in hopes of being able to ship cordage, sail-

* MSS. Dep. of State.

† See introduction, §§ 103-ff.

‡ MSS. Dep. of State. 1 Sparks' Dip. Rev. Corr., 197.

cloth, and anchors, etc., sufficient for five or six such frigates, by the time you can have them built.

Deprived of any intelligence from you since the 1st of last November, and without remittances, leaves us in a situation easier to be conceived than described. The want of intelligence affects the cause of the United States in every department; such accounts of our affairs as arrive in Europe at all, come through the hands of our enemies, and, whether defeated or victorious, we are the last who are acquainted with events which ought first to be announced by us. We are really unable to account for this silence, and, while we are affected with the unhappy consequences of it, must entreat the honorable Congress to devise some method for giving us the earliest and most certain intelligence of what passes in America.

The ship by which this is sent is loaded with clothing, cordage, and duck; not having a full cargo of the former, we ordered Mr. Williams, who acts for us at Nantes,* to complete it with the latter, for which we have obtained a short credit. Mr. Williams will write you by this opportunity. He has been of great service to us at Nantes, and it is but justice to say that his knowledge of business, probity, activity, and zeal for the interests of his country, with the good opinion justly entertained of him by gentlemen in business at Nantes, render him very serviceable in our affairs there, and proper to be employed in commercial transactions.

[It gives us pain to be obliged to say that the conduct of Mr. Myrkle is entirely the reverse. He left the vessel he came over in at Bordeaux on expense, in December last; has sent no orders to her since. He passed through Paris in January for Holland, or rather spent a month in the city, on his journey, where, as well as at Bordeaux, his character is marked for low debanchery, incompatible with the gentleman or the man of business. Persons of such a character giving themselves out for agents of Congress, and producing contracts in support of their pretensions, hurt the commercial reputation of the United States, and can be of no service in any shape whatever.]†

We apprehend that letters to Mons. Schweighauser have not had fair play, and therefore advised you to write to him, charging the captain who carries your letters to deliver them with his own hand, if he arrives at Nantes, and if at any other port that he send them under cover to us. We are filling a packet, by which we shall write more particularly in a few days. Mr. Lee wrote us last week from Bordeaux, on his way to Spain.

We present our most respectful compliments to the honorable Congress, and are, gentlemen, your most obedient and very humble servants.

B. FRANKLIN.
SILAS DEANE.

* See introduction, § 186.

† Passage in brackets omitted by Mr. Sparks.

Memorial delivered by Arthur Lee to the Marquis de Grimaldi.*

BURGOS, *March 5, 1777.*

Upon maturely weighing what his excellency the Marquis de Grimaldi had the goodness to communicate from his majesty, Mr. Lee feels himself obliged (notwithstanding his earnest wish to coincide with his majesty's views, and conciliate his amity to the United States) to beg his attention to the following considerations:

(1) Were it the question now whether Mr. Lee, being at Paris, should come to Madrid, he might do it or not without any material consequences; but, it being known that he was deputed upon that business, and upon his way, his return without going to Madrid will beget an opinion that Spain has renounced the States of America in refusing to receive their deputy; for the fact of his return being notorious, and the reasons for it necessarily secret, it will make the same impression as if no such reasons existed.

This opinion will very materially injure the credit of the States in France and Holland, and it may have a very unfavorable effect in America, for it must be considered that the fact will reach America by a thousand channels, while the reasons for it can pass through one only, and that, too, from the situation of things, in obscure hints.

Mr. Lee therefore hopes that his majesty will weigh these reasons before he determines finally upon a measure which may be deemed ungracious to the Congress and highly detrimental to their interests.

(2) Mr. Lee can not conceive on what pretense of reason, right, or law the English ambassador or his court can take exception to his majesty's receiving a deputy from the United States, since the right of a neutral court so to do is clearly established by the unquestioned practice of all times, and recognized by the best writers on the laws of nations. Neither has the English ambassador at Paris, or his court, taken any exception to it there.† .

(3) That it will be so far from preventing the execution of any gracious intentions his majesty may have of assisting the States, that the best and safest channel of conveying that aid is from one from which Mr. Lee's being at Madrid will rather divert than direct the attention of England. Next to an immediate declaration, a supply of money to support the credit of the States and pay for what is necessary, is the most effectual aid. The support of this contest calls upon the Congress for considerable funds. The means of establishing them by the export of their produce are slow and uncertain. This obliges them to have recourse for assistance to the powers that are friendly to their cause; among whom they have the greatest reliance upon his Majesty the King of Spain. This purpose will be answered by his majesty's ordering his ambassador at the Hague to authorize Sir George Grand, of Amster-

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 403. See introduction, §§ 86 *f.*

† This was a mistake. The reception of the American envoys at Paris had been the subject of earnest protests by the British Government.

dam, to pay the sum destined to this use to the order of B. Franklin, Silas Deane, or Arthur Lee. Sir George Grand is fixed upon as one who has been already trusted by the court of France in this business, and on whose attachment they can depend.

Mr. Lee must beg leave to wait his majesty's pleasure at Burgos or Victoria, not at Bayonne, because he is persuaded, upon reflection, that he should incur the highest displeasure of his constituents if he were to leave Spain without a definitive answer to the object of his mission.

A. Lee to Committee of Secret Correspondence.*

BURGOS, March 8, 1777.

GENTLEMEN: A person of high rank having been sent to confer with me here, I am authorized to assure you that supplies for the army will be sent to you by every opportunity from Bilboa. I can say with certainty that a merchant there has orders for that purpose; he is now here with me to have a list from me, and to contract for blankets which are manufactured in this part of the country. I am also desired to inform you of ammunition and clothing being deposited at New Orleans and the Havana, with directions to *lend* them to such American vessels as may call there for that purpose.

I am trying to get a sum of money put into our hands immediately that we may the more assuredly answer your bills, should you find it necessary to draw, and may pay for some ships of war in Europe. It will also be my endeavor to procure some able veteran officers from the Irish brigades in this service.

From the best authority here I am told that the German agreement is for seven thousand recruits and eight hundred Hessian chasseurs. They are to sail from some German port towards the end of this month.†

News is just arrived here of the death of the King of Portugal. Considerable bodies of troops have been for some time marching from Madrid towards the frontiers of that kingdom.

I have the honor to be, etc.,

ARTHUR LEE.

Memorial presented to the Court of Spain by Arthur Lee.‡

BURGOS, March 8, 1777.

The present state of the dispute between America and Great Britain does not seem to be so fully understood as to render a clear representation of it unnecessary.

America has declared herself independent, and has defeated all the

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Cor., 405.

† As to this, see introduction § 22; index, title Hessians.

‡ MSS. Dep. of State; 1 Sparks' Dip. Rev. Cor., 405,

efforts of Great Britain to reduce her during two campaigns. In this resistance she has hitherto stood alone and almost unassisted. Her infant and unprepared state has been compensated by her ardor, her indignation, her enthusiasm.

Great Britain, however, is determined to redouble her efforts to make this campaign decisive of the fate of America. In this situation America offers her commerce and her friendship, which she has withdrawn from Great Britain, to Spain and France. This offer ought to be deemed of double value, because it takes from their rival and foe what it gives to *them*. It is, therefore, taken for granted that this is an object of the first magnitude, and worthy of the highest attention of both these courts. It is also taken for granted that Spain and France do not wish Great Britain should prevail in the contest, or regain America by conquest or conciliation. There remains, therefore, but this single question: Whether it be more politic for the two powers to declare immediately or to wait the event of the next campaign?

To judge of this it will be necessary to consider what will be the probable event of the next campaign. As Great Britain is resolved to put forth her utmost strength, it is probable that the event will be either the total reduction of America or an accommodation founded upon a mutual conviction of each other's strength; and this accommodation must be hastened by America being left destitute of any material assistance from Europe.

It is manifest that the neutrality of Spain and France leaves the field open to the operations of the British force, and to the production of one of those events, either of which must be highly prejudicial to both nations and advantageous to their enemy. If Great Britain should be victorious America will become a powerful instrument in her hands, to be wielded at her will against these countries; and that it will not remain long unemployed no one will doubt who knows that the court of Great Britain is well informed of the countenance, at least, given to what they call a most dangerous rebellion, and that the head of that court is of a temper that never forgives or forgets.

If an accommodation should produce a reunion the same advantages will be lost and almost all the same consequences are to be feared. The end of the campaign can not, therefore, promise so favorable a moment for the interposition of Spain and France as the present; and in all human probability it will be then fruitless.

In truth, what moment can be wished more favorable than the present, when Great Britain is so equally matched by what were her colonies that the scales hang doubtful? Nor can it be questioned that the interposition of Spain or France, and much more of both, would make that of America decidedly preponderate and separate her from Great Britain forever. And what object can be more important than to deprive her of this great and growing source of her commerce and her wealth, her marine and her dominion?

There is nothing of which the court of Great Britain is more persuaded than that the loss of America would be the inevitable consequence of a war in Europe; nor is there a man in the nation that is ignorant of it; hence it is that the King finds himself obliged in all his speeches to assure his Parliament of the tranquillity of Europe that they may be emboldened to support his war against America. Hence it is that they have labored to prevent a rupture between Spain and Portugal, and have at length renounced the latter. It is, therefore, certain that Great Britain would endure any insult short of an open and outrageous act of hostility rather than engage in a European war during her contest with America.

During the last war America contributed twelve thousand seamen and twenty thousand troops to the assistance of Great Britain. These are now tripled against her. The commerce of America, according to the declaration of Mr. Pitt, who conducted it, carried Great Britain triumphantly through it. The full tide of that commerce is now turned against her. From America all the expeditions against the islands of Spain and France were then supplied. Now these supplies are ready to assist in seizing her islands.

Deprived of all those aids which ministered to her success and her triumphs during the last war, what could prevent her now from experiencing the bitter reverse of her former fortune? What policy can withhold two sovereigns whose prosperity is incompatible with her power to let slip such an opportunity of humbling her as may never return?

If Great Britain should again be united to America by conquest or conciliation it would be vain to menace her with war. America has been felt like Hercules in his cradle. Great Britain knit again to such growing strength would reign the irresistible though hated arbiter of Europe. This, then, is the moment in which Spain and France may clip her wings and pinion her forever. One of the most respectable bodies in England told their Sovereign some two years since, with a kind of prophetic spirit, that his ministers were precipitating his dominions into a situation in which their existence would depend upon the forbearance of their enemies. That situation is now certainly occurred. The rest as certainly remains in the arbitration of Spain and France.*

ARTHUR LEE.

Answer delivered to me by the Duke de Grimaldi at Vitoria.†

You have considered your own situation and not ours. The moment is not yet come for us. The war with Portugal—France being unpre-

*Although the above memorial purports to have been presented to the Court of Spain, it would appear that it was put into the hands of the Marquis de Grimaldi while he was at Burgos, and that he returned an answer probably without consulting the Court, when he met Mr. Lee shortly afterwards at Vitoria.—SPARKS.

†MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 408. See introduction, §§ 86 ff.

pared, and our treasure from South America not being arrived—makes it improper for us to declare immediately. These reasons will probably cease within a year, and then will be the moment.*

Franklin and Deane to Committee of Secret Correspondence.[†]

PARIS, March 12, 1777.

GENTLEMEN: It is now more than four months since Mr. Franklin's departure from Philadelphia, and not a line from thence written since that time has hitherto reached either of your commissioners in Europe.

We have had no information of what passes in America but through England, and the advices are, for the most part, such only as the ministry choose to publish. Our total ignorance of the truth or falsehood of facts, when questions are asked of us concerning them, makes us appear small in the eyes of the people here, and is prejudicial to our negotiations.

In ours of the 6th of February, of which a copy is inclosed, we acquainted you that we were about purchasing some cutters to be employed as packet-boats. We have succeeded in getting one from Dover, in which we purpose to send our present dispatches. Mr. Hodge, who went to Dunkirk and Flushing, where he thought another might be easily found, has not yet acquainted us with his success.[‡] We promised that when we had a conveyance which, by its swiftness, is more likely to carry safely our letters, we would be more explicit in accounts of our proceedings here, which promise we shall now fulfill as follows:

In our first conversation with the minister, after the arrival of Mr. Franklin, it was evident that this court, while it treated us privately with all civility, was cautious of giving umbrage to England, and was therefore desirous of avoiding an open reception and acknowledgment of us, or entering into any formal negotiation with us as ministers from Congress. To make us easy, however, we were told that the ports of France were open to our ships as friends; that our people might freely purchase and export, as merchandise, whatever our States had occasion for, vending at the same time our own commodities; that in doing this we should experience all the facilities that a Government disposed to favor us could, consistent with treaties, afford to the enemies of a friend. But though it was at that time no secret that two hundred field-pieces of brass and thirty thousand fusils, with other munitions of war in great abundance, had been taken out of the King's magazines for the purpose of exportation to America, the minister, in our presence, affected to know nothing of that operation, and claimed no merit to his court on that account. But he intimated to us that it would be

* This answer seems to have been a verbal one.—SPARKS.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 198, with verbal changes.

‡ See index, title Hodge.

well taken if we communicated with no other person about the court concerning our affairs but himself, who would be ready at all convenient times to confer with us.

We soon after presented several memorials, representing the state of the colonies, the necessity of some naval aid, and the utility to France that must result from our success in establishing the independence of America, with the freedom of its commerce. In answer, we received a positive refusal of the ships of the line (which we had been instructed to ask), on this principle, that if a war with England should take place the whole fleet of France would be necessary at home for her defense; that if such a war did not take place, yet, while England apprehended a war, it was equally serviceable to our States that the fleet of France should remain entire in her ports, since that must retain an equal force of English at home who might otherwise go to America, and who certainly would follow thither any French squadron. During these conferences every step was taken to gratify England publicly, by attending to the remonstrances of her ambassador, forbidding the departure of the ships which had military stores on board,* recalling officers who had leave of absence and were going to join us, and giving strict orders that our prizes should not be sold in French ports; yet, that we might not be discouraged, it was intimated to us by persons about the court that those measures were necessary at present, France not being yet quite ready for a war, and that we might be assured of her good will to us and our cause.[†]

Means were proposed of our obtaining a large sum of money for present use by an advance from the Farmers-General, to be repaid in tobacco, of which they wanted twenty thousand hogsheads. We entered accordingly into a treaty with that company, which meeting with difficulty in settling the terms, we were informed that a grant was made us of two millions of livres from the Crown, of which five hundred thousand was ready to be paid us down, and an equal sum should be paid at the beginning of April, July, and October; that such was the King's generosity, he exacted no conditions or promise of repayment; he only required that we should not speak to any one of our having received this aid. We have accordingly observed strictly this injunction, deviating only in this information to you, which we think necessary for your satisfaction, but earnestly requesting that you would not suffer it to be made public. This is the money which, in our letter, we mentioned as raised for us by subscription.

One of the ablest sea officers of France, skilled in all the arts relating to the marine, having offered his services to our States, with the permission of the minister, we (enabled by the above grant) engaged him to superintend the building of two ships of war, of a particular con-

* These were afterwards privately permitted to go, or went without permission.—*Note by the Commissioners.*

† See introduction, §§ 36 *ff.*

struction, which, though not of half the cost, shall be superior in force and utility to ships of sixty-four guns. He has built one here for the king, which, we are told, exceeds everything in swift sailing. He has furnished us with drafts, which we send you, that if the Congress thinks fit, others of the same construction may be set up in America, in which case we have given him expectations of being their commodore. We have seen his large and curious collection of memoirs, containing every the minutest particular relating to the construction and management of a fleet, with a variety of proposed improvements; and we are persuaded that he will be found a valuable acquisition to our country.

April 9. Since writing the above we received dispatches from the Congress by Captain Hammond, others from Mr. Morris by Captain Bell, and some copies by Captain Adams, via Boston, which, on many accounts, were very satisfactory. We directly drew up and presented memorials on the subject of those despatches. We were promised immediate consideration and speedy answers; for which we detained Captain Hammond, but we have not yet obtained them. We receive, however, continued assurances of the good will of this court and of Spain. We are given to understand that it is by their operations the raising of German troops for England has been obstructed. We are paid punctually the second five hundred thousand livres; and having convinced the ministry of the great importance of keeping up the credit and fixing the value of our currency, which might be done by paying in specie the interest of what we borrow, or in bills upon France for the amount, we are now assured that the above-mentioned quarterly payments shall be continued (after the two millions), for the purpose of paying the interest of the five million dollars you are supposed to have borrowed, which we believe will be punctually complied with; and the effect must be, restoring to its original value the principal for which such interest is paid, and with that the rest of the emission.

We have turned our thoughts earnestly to what is recommended to us by Congress, the borrowing two millions sterling in Europe. We just proposed to borrow it of this court upon interest, but were told by the minister that it was impossible to spare such a sum, as they were now arming, at a great expense, which kept their treasury bare; but there was no objection to our borrowing it of private capitalists here, provided we did not offer so high an interest as might raise it upon government. We are advised to try Holland; and we have caused the pulse to be felt there; but though Holland at present is a little disgusted with England, and our credit is considerably mended in Europe by our late successes, it does not yet appear sufficient to procure such a loan. Spain, it seems, has, by its punctual payments of interest, acquired high credit there; and we are told, that by her publicly borrowing, as for herself, and privately allowing us to draw on her banker, we might there obtain what money we pleased.

Mr. Lee was gone to Spain before the commission and orders came to

B. F. for that station. He will give you a particular account of his negotiations. We here only mention that he received the same general assurances of the good will of that court that we have here of this. He was informed that three thousand barrels of powder and some clothing were lodged for our use at New Orleans; that some merchants at Bilboa had orders to ship for us such necessaries as we might want; that orders would be given to allow us admission into the Havana as a favored nation, and that we should have a credit on Holland (the sum not then settled), which might be expected at Paris the beginning of this month. The Spanish ambassador here, a grave and wise man,* to whom Mr. Lee communicated the above, tells us that his court piques itself on a religious observance of its word, and that we may rely on a punctual performance of its promises.

On these grounds we are of opinion, that though we should not be able to borrow the two millions sterling recommended to us, yet if the Congress are obliged to borrow the whole twenty millions of dollars they have issued, we hope to find sufficient there, by way of subsidy, to pay the interest in full value, whereby the credit of their currency will be established, and on great and urgent occasions they may venture to make an addition to it, which we conceive will be better than paying the interest of two millions sterling to foreigners. On the whole, we would advise Congress to draw on us for sums equal to the interest of what they have borrowed, as that interest becomes due, allowing the lenders, in the drafts, 5 livres, money of France, for every dollar of interest. And we think they may venture to promise it for future loans, without, however, mentioning the grounds we here give for making such a promise; for these courts have particular strong reasons for keeping out of the war as long as they can, besides this general one, that on both sides the nation attacking loses the claim which, when attacked, it has for aid from its allies. And we have these advantages in their keeping out of the war, that they are better able to afford us private assistance; that by holding themselves in readiness to invade Britain, they keep more of her force at home; and that they leave to our armed vessels the whole harvest of prizes made upon her commerce, and of course the whole encouragement to increase our force in privateers, which will breed seamen for our Navy.

The desire that military officers here, of all ranks, have of going into the service of the United States is so general and so strong as to be quite amazing. We are hourly fatigued with their applications and offers, which we are obliged to refuse, and with hundreds of letters, which we cannot possibly answer to satisfaction, having had no orders to engage any but engineers, who are accordingly gone. If the Congress thinks fit to encourage some of distinguished merit to enter their service, they will please to signify it.†

* Aranda. See index, title Aranda.

† See introduction, § 78.

Captain Wickes made a cruise this winter, and returned with five prizes, of the produce of which we suppose Mr. Morris will acquaint you; for they are sold, though the bringing them into France has given some trouble and uneasiness to the court, and must not be too frequently practiced. We have ordered him to make another cruise before he returns to America, and have given him for a consort the armed cutter *Captain Nicholson*; they will sail in a few days. Mr. Hodge writes us that he has provided another cutter; we intended to have employed one of them as a packet, but several of yours being now here, and having lately made a contract for sending one every month, a copy of which we inclose, we shall make use of this new purchase as a cruiser.

We have at length finished a contract with the Farmers-General for four thousand hogsheads of tobacco, a copy of which is inclosed. We shall receive the first advance of two millions livres next month, and we entreat you to use your best endeavors to enable us to comply with our part of the agreement. We found it a measure of government to furnish us by that means with large advances, as well as to obtain the ground of some of their own taxes; and finding the minister anxious to have such a treaty concluded, we complied with the terms, though we apprehend them not to be otherwise very advantageous. We have expectations, however, that in case it appears that the tobacco can not be afforded so cheap, through captures, etc., government will not suffer us to be losers.

We have purchased eighty thousand fusils, a number of pistols, etc., of which the inclosed is an account, for two hundred and twenty thousand livres. They were king's arms and second-hand, but so many of them are unused and unexceptionally good, that we esteem it a great bargain if only half of them should arrive. We applied for the large brass cannon, to be borrowed out of the king's stores till we could replace them, but have not yet obtained an answer. You will soon have the arms and accoutrements for the horse except the saddles, if not interdicted by the enemy.

All Europe is for us. Our Articles of Confederation being by our means translated and published here, have given an appearance of consistence and firmness to the American States and Government that begins to make them considerable. The separate constitutions of the several States are also translating and publishing here, which afford abundance of speculation to the politicians of Europe, and it is a very general opinion that if we succeed in establishing our liberties, we shall, as soon as peace is restored, receive an immense addition of numbers and wealth from Europe, by the families who will come over to participate in our privileges, and bring their estates with them. Tyranny is so generally established in the rest of the world, that the prospect of an asylum in America for those who love liberty, gives general joy, and our cause is esteemed the cause of all mankind. Slaves naturally become base, as well as wretched. We are fighting for the dignity and

happiness of human nature. Glorious is it for the Americans to be called by Providence to this post of honor. Cursed and detested will every one be that deserts or betrays it.

We are glad to learn the intention of Congress to send ministers to the empires of Prussia and Tuscany. With submission, we think Holland, Denmark, Sweden, and Russia (if the expense is no objection), should not be neglected. It would be of great service if among them we could get a free port or two for the sale of prizes, as well as for commerce. A commencement of intercourse has been made with Prussia, as you will see by the inclosed copies of letters,* between his minister and us. We suppose, as the Congress has appointed one of us to Spain, they will order another of us to some of the other courts, as we see no utility equal to the charge, and yet some inconvenience, in a joint commission here, where one, when freed from commercial cares and action, is sufficient for the business. As soon as the court of Spain shall be willing to receive a minister (which, from Mr. Lee's information, seems not to be at present the case), Mr. Franklin intends to go thither in obedience to the orders he has received. Mr. Lee has expressed his readiness to go to Prussia or Tuscany, before the intention of Congress to send to those courts was known; and he waits here a while, by the advice of his colleagues, expecting that perhaps the next ship may bring his future destination.

For the procuring and sending more certain and speedy intelligence, we have, as before mentioned, entered into a contract here whereby we are to have a packet boat dispatched every month; the first will sail in about a fortnight. As we are yet without an explicit answer from court on several important points, and we shall have that speedy opportunity, we do not now enlarge in answer to the several letters received by Hammond, Bell, Adams, and Johnston. We only now assure the Congress that we shall be attentive to execute all the resolutions and orders they have sent us for our government, and we have good hopes of success in most of them.

For news, we refer in general to the papers, and to some letters inclosed, which we have received from London. We shall only add, that though the English begin again to threaten us with twenty thousand Russians, it is the opinion of the wisest men here, and particularly among the foreign ministers, that they will never be sent. The Anspachers, who were to be embarked in Holland, mutinied, and refused to proceed, so that the prince was obliged to go with his guards and force them on. A gentleman of Rotterdam writes us that he saw a number of them brought, bound hands and feet, in boats to that place. This does not seem as if much service can be expected from such unwilling soldiers. The British fleet is not yet half manned; the difficulty in that respect was never before found so great, and is ascribed to several causes, viz, a dislike to the war, the subtraction of

* See index, title Schulenburg, A. Lee.; introduction, §§ 90 ff.

American sailors, the number our privateers have taken out of British ships, and the enormous transport service.

The French are free from this difficulty, their seamen being all registered, and serving in their turns. Their fleet is nearly ready, and will be much superior to the English, when joined with that of Spain, which is preparing with all diligence. The tone of the court accordingly rises, and it is said that a few days since, when the British ambassador intimated to the minister that if the Americans were permitted to continue drawing supplies of arms, etc., from this kingdom, the peace could not last much longer, he was firmly answered—*Nous ne desirons pas le guerre, mais nous ne la craignons pas.* “We neither desire war, nor fear it.” When all are ready for it, a small matter may suddenly bring it on; and it is the universal opinion that the peace can not continue another year. Every nation in Europe wishes to see Britain humbled, having all in their turns been offended by her insolence, which in prosperity, she is apt to discover on all occasions. A late instance manifested it towards Holland, when being elate with the news of some success in America, and fancying all that business ended, Sir Joseph Yorke delivered a memorial to the States, expressing his master’s *indignation* against them on account of the commerce their subjects carried on with the rebels, and the governor of St. Eustatia’s returning the salute of one of the American ships, remarking that “*if that commerce was not stopped, and the governor punished,*” the king knew what appertained to the dignity of his crown, and should take proper measures to vindicate it. The States were much offended, but answered coolly that they should inquire into the conduct of their governor, and in the mean time would prepare to secure themselves against the vengeance with which Britain seemed to threaten them. Accordingly, they immediately ordered twenty-six men of war to be put upon the stocks.

We transmit you some affidavits,* relating to the treatment of our prisoners,† with a copy of our letter‡ to Lord Stormont, communicating

* Missing.

† The following illustrates the position of the British Government as to American prisoners :

“This gallant American (Ethan Allen) was taken prisoner, fighting with the utmost bravery in Canada under the banners of Montgomery. He was immediately loaded with irons and transported to England in that condition on board of a man-of-war. On some observations being made in the House of Lords by the Duke of Richmond concerning his treatment, the Earl of Suffolk, one of the ministry, made this reply : ‘The noble duke says we brought over Ethan Allen in irons to this country, but were afraid to try him, lest he should be acquitted by an English jury, or that we should not be able legally to convict him. I do assure his grace that he is equally mistaken in both his conjectures ; we neither had a doubt but we should be able legally to convict him, nor were we afraid that an English jury would have acquitted him ; nor, further, was it *out of any tenderness to the man*, who, I maintain, had justly forfeited his life to the offended laws of his country. But I will tell his grace the true motives which induced the administration to act as they did. We were aware that the rebels had lately made a considerable number of prisoners, and we accordingly avoided

‡ See as to letter to Lord North, *infra*, December 24, 1777.

them, and his insolent answer. We request you to present our duty to the Congress, and assure them of our most faithful services.

With great respect, we have the honor to be, etc.,

B. FRANKLIN,
SILAS DEANE.

A. Lee to Florida Blanca.*

VITORIA, March 17, 1777.

Mr. Lee wishes to state to his excellency the Count de Florida Blanca what he has understood from his excellency the Marquis de Grimaldi, to be the intentions of his majesty relative to the United States of America.

That for very powerful reasons his majesty can not at this moment enter into an alliance with them or declare in their favor; that, nevertheless, they may depend upon his majesty's sincere desire to see their rights and liberties established, and of his assisting them as far as may be consistent with his own situation; that for this purpose the house of Gardoqui,† at Bilboa, would send them supplies for their army and navy from time to time; that they would find some ammunition and clothing deposited for them at New Orleans, the communication with which would be much secured and facilitated by their taking possession of Pensacola; that their vessels should be received at the Havana upon the same terms with those of France, and that the ambassador at Paris should have directions immediately to furnish their commissioners with credit in Holland. The marquis added, that his majesty would do these things out of the graciousness of his royal disposition, without stipulating any return, and that if upon inquiry any able veteran officers could be spared from his Irish brigade the States should have them.

These most gracious intentions Mr. Lee has communicated to the Congress of the United States in terms as guarded as possible, without mentioning names, so that the source of those aids, should the dispatches fall into the enemy's hands, can only be conjectured from the manner in which they are mentioned. And, for further security, the captain has the strictest orders to throw the dispatches into the sea should he be taken.

Mr. Lee is sensible that these intentions are measured by the magnanimity of a great and opulent prince, and becoming the character of so illustrious a monarch as the King of Spain. He is satisfied they will raise the strongest sentiments of gratitude and veneration in the breasts

bringing him to his trial from considerations of *prudence*; from a dread of the consequences of retaliation; not from a doubt of his legal guilt, or a fear of his acquittal by an English jury." Walsh's Appeal, part 1, sec. 6, 198. As to British barbarity in treatment of prisoners, see introduction, § 22; index, title Britain, Prisoners.

*MSS. Dep. of State; 1 Sparks, Dip. Rev. Corr., 408. See introduction, §§ 86 ff.

†See index, title Gardoqui.

of those whom they regard. At the same time he trusts that the Spanish nation will receive no inconsiderable retribution from the freedom of that commerce the monopoly of which contributed so much to strengthen and aggrandize her rival and her foe; nor can anything give more lasting satisfaction to the royal mind than the reflection of having employed those means which God has put into his hands in assisting an oppressed people to vindicate those rights and liberties which have been violated by twice six years of incessant injuries and insulted supplications; those rights which God and nature, together with the convention of their ancestors and the constitution of their country, gave to the people of the States. Instead of that protection in those rights which was the due return for sovereignty exercised over them, they have seen their defenseless towns wantonly laid in ashes, their unfortified country cruelly desolated, their property wasted, their people slain; the ruthless savage, whose inhuman war spares neither age nor sex, instigated against them; the hand of the servant armed against his master by public proclamation, and the very food which the sea that washes their coast furnishes forbidden them by a law of unparalleled folly and injustice. *Proinde quasi injuriam facere id demum esset imperio uti.* Nor was it enough that for these purposes the British force was exhausted against them, but foreign mercenaries were also bribed to complete the butchery of their people and the devastation of their country. And that nothing might be wanting to make the practices equivalent to the principles of this war, the minds of these mercenaries were poisoned with every prejudice that might harden their hearts and sharpen their swords against a people who not only never injured or offended them, but who have received with open arms and provided habitations for their wandering countrymen. These are injuries which the Americans can never forget. These are oppressors whom they can never again endure. The force of intolerable and accumulated outrages has compelled them to appeal to God and to the sword. The King of Spain, in assisting them to maintain that appeal, assists in vindicating the violated rights of human nature. No cause can be more illustrious, no motive more magnanimous.*

ARTHUR LEE.

* At the bottom of this letter and of the memorial to the court of Spain Mr. Lee signs himself "*Commissioner Plenipotentiary from the Congress of the United States of America.*" But this must have been for the greater formality, as he had not yet received any appointment to Spain from Congress, but only went there by advice of the commissioners in Paris.—SPARKS.

A. Lee to the Committee of Secret Correspondence.*

VITORIA, March 18, 1777.

GENTLEMEN: I had the honor of writing to you on the 8th from Burgos, since which I have had another conference at this place for greater secrecy and dispatch.

In addition to the supplies which I informed you were to be furnished through the house of Gardoqui by every opportunity, and the powder and clothing which are at New Orleans, and will be advanced to your order, I am assured of having credit from time to time on Holland, and that orders will be given to receive your vessels at the Havana as those of the most favored nation, the French, are received. They have promised to examine whether there are any veteran Irish officers fit for your service, and if there are to send them.

I have avoided stipulating any return on your part.

As for an immediate declaration in your favor, they say this is not the moment; and for reasons which, if I might venture to commit them to this paper, I think you would deem satisfactory. The same reasons render an explicit acknowledgment of your independency, and a treaty of alliance with you, inadmissible at present; but I am desired to assure you of their taking a sincere and zealous part in the establishment of your liberties, which they promote in every way consistent with their own situation.

I can not help thinking that the postponing a treaty is happy for us, since our present situation would raise demands, and perhaps enforce concessions of which we might sorely repent hereafter. I am sensible that in consequence we shall be obliged to make greater exertions, and to search deeper for resources within ourselves; but this must, in the end, be highly beneficial to a young people. It was in this manner the Roman Republic was so deeply rooted; and then *magis dandis, quam accipiendis beneficiis, amicitias parabat*. The liberties and benefits which are hardly earned will be highly prized and long preserved.

In conformity with the above arrangement, I have settled with M. Gardoqui, who is now with me, and from whom I have received every possible assistance, to despatch a vessel, with all possible expedition, laden with salt, sail and tent cloth, cordage, blankets, and such warlike stores as he can immediately procure, and an assortment of such drugs as I think will be necessary for the three prevailing camp diseases. Those who furnish these supplies are very desirous of an expedition being ordered against Pensacola, in order that the possession of that place may render the communication between the southern colonies and New Orleans, from which they would wish to succor you, more sure and secret. The captain has my directions to make for Philadelphia, or any port to the southward, and wait your orders. At Mons.

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 410, with omissions and verbal changes.

Gardoqui's desire, I have given him a recommendation to all the American captains who may sail from Bilboa, whether in public or private service, to receive such stores as he shall send them for your use.

When this is arranged, I am to return to Paris, where the business of the credit upon Holland is to be settled, and of which you shall have notice by the first opportunity.

In my former letters from Bordeaux and Nantes, I took the liberty of remarking upon the deranged state of your commerce. I find here that you have not sent any vessels to Bilboa, though as being the most convenient, it is most frequented by private vessels. It is a free port, has no custom-house, and therefore business is despatched with more secrecy and expedition. Rice, indigo, tar, pitch, and turpentine, bear a good price there, and fish in Lent. By the provincial laws of Biscay, tobacco is prohibited, but it may be landed at the port of St. Sebastian, some fourteen leagues distant; and it sells well in Spain; but it must be strong Virginia tobacco for this market. The house of Gardoqui has promised to collect from other places such things as I have informed them will be proper for your service. As Mons. Montandauine and Mons. Schweighauser, at Nantes, and the Messrs. Delaps at Bordeaux, are the best and most respectable merchants, so the Gardoquis are at Bilboa. Their zeal and activity in our cause were greatly manifested in the affair of the privateer; they are, besides, in the special confidence of the court, and one of them has been employed as interpreter in all our business.

If touching upon commercial subjects, which are somewhat out of my province, should be of any use, that will be my excuse; if not, I hope the expectation of its being useful will plead my pardon. I mentioned in my last that the Germans intended to be sent the latter end of this month through Holland, were to consist of seven thousand recruits and eight hundred Hessian chasseurs; but, from the best accounts I can get, they will neither be so forward nor so numerous as was intended. To retard them the more, I have proposed to the commissioners at Paris to remonstrate with the States-General against granting them a passage, which is to expedite their embarkation, and I have written to Holland to have the account of the captivity of their countrymen, and the refusal to exchange them and settle a cartel, distributed among the troops, in German, before they embark. [If they are not very beasts indeed, this will rouse a spirit of indignation against their buyers and sellers].*

I have sent copies of General Washington's letter, and such an account as I could collect from the newspapers, of the success of your arms all over Europe; since that I find, by the inclosed gazette, that the court of Great Britain have already published their account of it. It is lamentable to observe to what unworthy means of flattering the

*Passage in brackets omitted by Sparks. As to British maltreatment of prisoners, see introduction, § 22; index, title Prisoners.

vices of princes the human mind will stoop. The Carletons, the Howes, and the Perceys, call themselves honorable men; yet, because they know nothing pleases [the base mind of]* the King of England more than the grossest abuse of the Americans, they let slip no opportunity of accusing and traducing them. That these charges may not fall into the hands of future historians uncontradicted, I could wish, since it has now become a public accusation by General Howe, that General Washington might write him a letter, stating the injustice of the charge, and mentioning the instances, such as the burying Captain Leslie with the honors of war, in which the troops under his command have manifested a disposition directly opposite to that of which he has accused them; this would go down to posterity as an authentic vindication. I am as jealous of the honor of our name as desirous of the success of our arms.

I mentioned in my former letters their plan of sending out cutters of twelve and fourteen guns, commanded by lieutenants of the navy, to cruise on your coast, chiefly in the Gulf, and that the West India ships were to be armed.†

On the other hand, we are assured, by both France and Spain, that such a disposition of their fleets and forces will be made as ought to persuade England that she can not sustain the war against you as she planned. Your wisdom will direct you how far to trust to these assurances, or their expected consequences, when our stake is so precious that the most ardent and unremitting exertions can not be too great. Not that I suspect the sincerity of these assurances, but the effects they are to produce; for I know the nature of the King of England to be [so rancorous and envenomed]‡ that nothing but personal fear, which the quietism of the people is not likely to produce, will restrain him from the most desperate attempts to injure and enslave us; besides, the state of Europe is such as to render it morally certain that a war in Europe will relieve you from these extraordinary exertions before a year has passed away. The death of the King of Portugal is too recent for any certain judgment to be formed of its consequences; probably, however, it will produce an accommodation with Spain; but should it extinguish this spark of a war, it will leave Spain more at liberty to aid us, and awe, if not attack, Great Britain. The situation of the enemy seems to be this: Great Britain and Ireland exhausted, the difficulties of recruiting for the ensuing campaign from Germany great and notorious, though the demand was proportioned to the prosperous state of their affairs; from this quarter, therefore, they have little more to hope. To Russia alone they may apply, if the cloud that is rising from Constantinople should blow over, without which it is impossible they should have any aid from thence; but, if this should hap-

* Passage in brackets omitted by Sparks. As to British maltreatment of prisoners, see introduction, § 22; index, title Prisoners.

† As to the want of authority for these statements, see introduction, §§ 150-1.

‡ Omitted by Sparks.

pen, it will be our endeavor, and I hope we shall succeed, in raising the opposition of other European powers to that measure. I mean to propose, on my return to Paris, the sounding both of the Emperor and the King of Prussia on this subject. The one wishes to promote the port of Ostend, the other of Emden, and by these we may perhaps work them up to our wishes.

It is upon this view of things that I found my hopes of the next campaign being the last struggle of any importance the enemy can make against us. The distress of their finances, and the difficulty of raising the supplies, are great. It is certain that the Dutch, on whom they so much depend, withhold their money as far as they can find Spanish paper to vest it in. The degree of their alarm from France and Spain may be seen from their embodying the militia, and their extensive preparations by sea. That this alarm will not be suffered to subside I believe. Their divisions at home are apparent from the suspension of the habeas corpus act, which will probably realize their apprehensions of domestic troubles.

I find that, in consequence of my application to the Count d'Aranda in Paris, he had written to his court here concerning the detention of the proceeds of some of your cargoes by the merchants of Cadiz. As soon as I can get an accurate statement of that affair from Mr. Thomas Morris, it will be put in a train of certainly obtaining justice. There are some, I am informed, in the same situation at Lisbon, and I think we may feel the pulse of the new Government there by applying to that court for justice.

I subjoin an estimate of the current prices of several American articles at Bilboa, and have the honor of being, etc.

ARTHUR LEE.

Flour, 16 pistareens per hundred-weight; rice, from 20 to 22 do. per do.; fish, 22 to 30 do. per quintal; beeswax, from 212 to 215 do.; fine common sugars, from 49 to 54 do. per do.; large brown cocoa, 6 bitts per lb.; indigo, from 7 to 10 pistareens per lb.; masts, yards, and spars in great demand; furs the same; tobacco lower in Spain than lately in France.

P. S. As well as I can collect from the foreign papers, they have passed a bill in England to enable the King to commit to *any* prison such persons as he *suspects* of favoring America,* and to fix the crime of piracy on all those who are taken at sea with your commission. In some former resolution you declared that retaliation should be made on those who were suspected of favoring the measures of the British Government in the States, and hitherto the American privateers have permitted the subjects of Great Britain to depart in peace. Our enemies are determined to show how unworthy they are of such lenity, as sev-

* See index, titles Britain, Prisoners.

eral individuals, besides Captain Ross, have done. They will compel you to make it a war of revenge, not of redress.

[The measure of their iniquity is now full, when they have put the liberty of every subject in the power of the most merciless and unprincipled tyrant that ever disgraced a throne.]*

It would not, I think, be difficult to negotiate a loan of money for the States of Virginia and South Carolina, through the Havana; if you think this would be useful, please to give your directions in it by the first opportunity. The present disposition to oblige us may not last forever.

A. L.

Franklin to A. Lee.†

PASSY, March 21, 1777.

DEAR SIR: We have received your favors from Vitoria and Burgos. The Congress, sitting at Baltimore, dispatched a packet to us the 9th of January, containing an account of the success at Trenton, and subsequent events to that date, as far as had come to knowledge. The vessel was obliged to run up a little river in Virginia, to avoid some men-of-war, and was detained there seventeen days, or we should have had these advices sooner. We learn, however, through England, where they have news from New York to the 4th of February, that, in Lord Cornwallis's retreat to New Brunswick, two regiments of his rear-guard were cut to pieces; that General Washington having got round him to Newark and Elizabethtown, he had retired to Amboy, in his way to New York; that General Howe had called in the garrisons of Fort Lee and Fort Constitution, which were now possessed by our people; that on the York side Forts Washington and Independence were retaken by our troops, and that the British forces at Rhode Island were recalled for the defense of New York.

The committee, in their letters, mention the intention of Congress to send ministers to the courts of Vienna, Tuscany, Holland, and Prussia. They also send us a fresh commission, containing your name instead of Mr. Jefferson's, with this additional clause: "and also to enter into, and agree upon a treaty with His Most Christian Majesty, or such person or persons as shall be by him authorized for that purpose, for assistance in carrying on the present war between Great Britain and these United States." The same clause is in a particular commission they have sent me to treat with the court of Spain, similar to our common commission for the court of France;‡ and I am accordingly directed to go to Spain; but as I know that choice was made merely on the supposition of my being a little known there to the great personage (Dr. Ga-

* Passage in brackets omitted in Sparks' ed.

† MSS. Dep. of State; 8 Sparks' Franklin, 205; 1 Sparks' Dip. Rev. Corr., 415; 6 Bigelow's Franklin, 79.

‡ See 2 Secret Journal of Congress, 42, under the date of January 2, 1777.

briel)* for whom you have my letter (a circumstance of little importance), and I am really unable, through age, to bear the fatigue and inconvenience of such a journey, I must excuse myself to Congress, and join with Mr. Deane in requesting you to proceed in the business on the former footing till you can receive a particular commission from Congress, which will, no doubt, be sent as soon as the circumstances are known.

We know of no plans or instructions transmitted to Mr. Deane but those you have with you. By the packet, indeed, we have some fresh instructions which relate to your mission, viz, that in case France and Spain will enter into the war, the United States will assist the former in the conquest of the British sugar islands, and the latter in the conquest of Portugal, promising the assistance of six frigates, manned, of not less than twenty-four guns each, and provisions equal to \$2,000,000; America desiring only for her share what Britain holds on the Continent. But you shall, by the first safe opportunity, have the instructions at length. I believe we must send a courier.

If we can, we are ordered to borrow £2,000,000 on interest. Judge, then, what a piece of service you will do if you can obtain a considerable subsidy, or even a loan without interest.

We are also ordered to build six ships of war. It is a pleasure to find the things ordered which we were doing without orders.

We are also to acquaint the several courts with the determination of America to maintain, at all events, our independence. You will see by the date of the resolution relating to Portugal, as well as by the above, that the congress was stout in the midst of their difficulties. It would be well to sound the court of Spain on the subject of permitting our armed ships to bring prizes into her ports and there dispose of them. If it can be done openly, in what manner can we be accommodated with the use of their ports, or under what restrictions? This government has of late been a little nice on that head, and the orders to L'Orient have occasioned Captain Wickes some trouble.

We have good advice of our friend at Amsterdam, that in the height of British pride on their summer success, and just before they heard of any check, the ambassador, Sir Joseph Yorke, † had been ordered to send a haughty memorial to the States, importing that notwithstanding their promises to restrain their subjects from supplying the rebels, it was notorious that those supplies were openly furnished by Hollanders at St. Eustatia; and that the governor of that island had returned *from his fort the salute of a rebel ship of war with an equal number of guns;*

* So in draught letter, but not in Sparks' rendering.

† See index, title Yorke.

Sir Joseph Yorke was the third son of Lord Chancellor Hardwicke, and was British ambassador at The Hague from 1751 to 1782. He was subsequently a field marshal, and in 1783 was created Baron Dover. He died in 1792. His course in the Netherlands was so arbitrary as greatly to increase their impatience of British influence.

that his majesty justly and highly resented these proceedings, and demanded that the States should, by more severe provisions, restrain that commerce; that they should declare their disapprobation of the insolent behaviour of their governor and punish him by an immediate recall; otherwise his majesty, who knows what appertains to the dignity of his crown, would take proper measures to vindicate it; and he required an immediate answer. The States coolly returned the memorial with only this answer, that when the respect due to sovereigns was not preserved in a memorial it ought not to be expected in an answer. But the city of Amsterdam took fire at the insolence of it, and instructed their deputies in the States to demand satisfaction by the British court's disavowal of the memorial and a reprimand of the ambassador. The States immediately demanded a number of men-of-war ordered to be in readiness. Perhaps, since the bad news has come, England may be civil enough to make up this little difference.

Mr. Deane is still here. You desire our advice about your stopping at Burgos. We agree in opinion that you should comply with the request. While we are asking aid it is necessary to gratify the desires and in some sort comply with the humors of those we apply to. Our business now is to carry our point. But I have never yet changed the opinion I gave in Congress, that a virgin state should preserve the virgin character, and not go about suitoring for alliances, but wait with decent dignity for the application of others. I was overruled—perhaps for the best.*

With the greatest esteem, I am ever, dear sir, your most obedient humble servant,

B. FRANKLIN.

W. Lee to Dumas. †

LONDON, March 21, 1777.

SIR: Government here has received within these ten days past several expresses from General Howe, at New York, in North America, as late as the 19th of last February, which are, in every respect, very disagreeable indeed. He writes in severe terms against General Heister, whom he calls *an old woman* in the field and a stupid and incorrigible blockhead in the cabinet; he also says that the Hessians and other Germans are the worst troops under his command, and are not fit to be trusted in any business;‡ he has, therefore, desired several particular English officers to be sent to command them; some of them that he has pointed out have refused to go on such a forlorn hope; but General Burgoyne, much against this will, is, it seems, obliged to go, and one Colonel

* In this letter, in point of doubt, the original draft is followed.

† 5 Sparks' Dip. Rev. Corr., 225.

‡ This is a mistake. General Howe spoke well of the Hessians as a body. See introduction, § 22.

Charles Grey, who was only a lieutenant-colonel upon half pay,* has agreed to go, being appointed to a regiment, with the rank of a major-general, in America.

General Howe has, with some difficulty and considerable loss, got his troops back to New York that had attempted to make good their situation at Brunswick, in the Jerseys. He has recalled the greater part of those troops that had been sent to Rhode Island. At New York they were in the greatest distress for all kinds of fresh provisions and vegetables; at the same time a fever, similar to the plague, prevailed there, that in all probability before the spring will carry off to the Elysian shades at least one-half of the troops that remain there, and prepare an immediate grave for the Germans and all the other troops that are about to be sent to that infected place. At the same time we learn that the American army under General Washington increases in numbers every day, and, being accustomed to the climate, have kept the field in all the severe weather. Notwithstanding this melancholy prospect of affairs, our papers talk of a foreign war, but in my opinion we are in no condition to engage in one, for you may be assured that we have not in the kingdom sailors enough to man fifteen ships of the line, though you may see thirty or forty ships put in commission, as the public prints will tell you. And as to soldiers, the draft for America has been so great that we have not ten thousand in the whole Island, yet our ministers have lately attempted to bully the States of Holland by a high-flying memorial relative to the conduct of some of their governors in the West Indies. It might, however, be attended with very serious consequences if the Hollanders were to take their money out of the English funds.

WILLIAM LEE.

P. S.—If you please, insert the foregoing in the Dutch, Brussels, Frankfort, and Hamburg papers.

* General Charles Grey (the first Earl Grey) began his military service on the staff of Prince Ferdinand, and was severely wounded at Minden. He served in British campaigns in New Jersey and Pennsylvania in 1777–78 and was engaged in the capture of Martinique and Guadeloupe at the time when his son Charles was attacking Pitt's policy in the war with France. General Grey, at the time when the above letter was written, occupied a position, both in military and social life, which did not call for this contemptuous way in which he is spoken of by William Lee as above. Perhaps the reference may be explained by the treatment Wilkes received from Sir Henry Grey, of Howick (the elder brother of General Grey), who was not disposed, in Parliament, to look with mercy on some of Wilkes' movements.

Agreement between Messrs. Franklin and Deane and the Farmers-General of France for the sale of a quantity of Tobacco.*

[Translation.]

MARCH 24, 1777.

ARTICLE I.

We, the undersigned, as well in our own name as by virtue of powers derived from the Congress of the United States of North America, promise and oblige ourselves to deliver, in the course of the present year, 1777, five thousand hogsheads, or five millions weight, of York and James River tobacco to the Farmers-General of France, in the ports of France.

ARTICLE II.

The price of the tobacco thus delivered is fixed at eight sols per pound, net tobacco, mark weight, or forty livres tournois per cwt., and delivered into stores of the Farmers-General.

ARTICLE III.

All average, rotten, or spoiled tobacco shall be cut off and deducted from the weight to be paid for, agreeably to the estimate, which shall be impartially made by experienced persons, by which a general average shall be fixed instead thereof.

ARTICLE IV.

There shall be a deduction, moreover, of four per cent. under the title of allowance for good weight, eight pounds weight per hogshead for samples, and two per cent. discount on the amount of the invoice for prompt payment.

ARTICLE V.

The Farmers-General oblige themselves for the discharge of the amount of five thousand hogsheads, to remit at the disposal of Congress, and to pay into the hands of the banker who shall be appointed by Messrs. Franklin and Deane, or to direct their receiver-general at Paris to accept the bills which shall be drawn upon him by Messrs. Franklin and Deane as far as a million of livres tournois, in the course of the ensuing month, and another million the instant of the arrival of the first ships loaded with tobacco, which shall be delivered to them; the said two millions making the balance an entire payment for the five thousand hogsheads, or five million weight of tobacco, mark weight, sold by Congress at the price of eight sols per pound, before agreed upon.

ARTICLE VI.

Should Congress be able to send to France a greater quantity of tobacco, whatever shall exceed the value of the two millions advanced by the Farmers-General shall be remitted to them by Messrs. Franklin and

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 206.

Deane, at the same price and upon the same terms; and the Farmers-General oblige themselves to pay the value thereof in cash or bills on their receiver-general, at three usances as customary.

ARTICLE VII.

And I, the undersigned farmer-general, by virtue of a power vested in me by my company, subject and oblige myself in its name, to the full and entire execution of the six foregoing stipulated articles; and for the execution of the present, the parties have chosen their dwellings, that is to say, for Messrs. Franklin and Deane, the Hamburgh Hotel, University street, Parish of St. Sulpice; and for the Farmers-General, at the hotel of the King's Farms, Grenelle street, Parish of St. Eustache.

Done and concluded in duplicates, at Paris, this 24th of March, 1777.

B. FRANKLIN.

SILAS DEANE.

PAULZE.

Agreement for Packets between M. Ray de Chaumont on the one part and Benjamin Franklin and Silas Deane, on the other,* viz:

The said Ray de Chaumont engages to equip, in some port of France, agreed to by the said Benjamin Franklin and Silas Deane, in each month, for the space of one year, counting from the month of May next, a packet-boat or vessel suitable for the carrying of dispatches between France and the United States of North America, which vessel or packet-boat shall be capable of carrying 30 tons of goods, without impeding her sailing to the best advantage; and the said Ray de Chaumont shall be at the whole expense of equipping, victualing, etc., each of the said packet-boats, and shall furnish in each of them a passage for one person, sent by the said Franklin and Deane, to take charge of their dispatches and goods shipped. Each packet-boat or vessel shall attend the orders of the said Franklin and Deane, in pursuing her voyage, for the safest and most certain delivery of the said dispatches and merchandise.

The said Franklin and Deane shall have liberty to load a quantity of goods on board each packet-boat, to and from America, to the amount of 30 tons, consigned to their orders; and they, the said Franklin and Deane, shall pay to the said Ray de Chaumont the sum of eight thousand livres for each voyage of each packet-boat, which sum of eight thousand livres shall be paid the said Ray de Chaumont in three months after the entering on each voyage successively, whether the packet-boat arrive in safety or not.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 208. This arrangement never took effect. See index, titles Packets, Chaumont.

The packet-boat shall not be delayed after her being ready to receive the goods, either in France or America. The said packet-boats, with all their equipments, shall be solely at the risk and expense of the said Ray de Chaumont; but the goods to be shipped, as aforesaid, with the freight stipulated therefor, as above mentioned, shall be at the risk of the said Franklin and Deane; and the said Ray de Chaumont shall not, in case either said pocket-boats will carry more than the said 30 tons of goods, load them, or either of them, beyond the said quantity, so as in any manner to impede their or her sailing to the best advantage.

In witness of which, the parties have subscribed three agreements, each of this tenor and date, at Paris, April, 1777.

RAY DE CHAUMONT.

B. FRANKLIN.

SILAS DEANE.

Deane to Dumas.*

PARIS, April 2, 1777.

SIR: Mr. Carmichael, who has regularly corresponded with you, has given you the salutation from time to time for myself. I have really had no leisure for several months to write a single letter but what the instant necessity of the time required, and am much obliged to you for the regular information we have through him from you. Inclosed I send you a bill for one thousand florins, which you will receive and credit the Congress for the same. As you have said nothing at any time on the subject of your disbursements for the Congress the commissioners are ignorant of your situation in that respect and have desired me to send you the inclosed bill and to ask of you to favor them with the general state of your disbursements, and to assure you that they are too sensible of the services you are rendering their country to wish you to remain without an adequate reward. We have no intelligence of any kind from America since the 1st of March last, and you have been informed of the situation of our affairs at that time.

I am, etc.,

SILAS DEANE.

Franklin to M. Lith.†

PARSY, NEAR PARIS, April 6, 1777.

SIR: I have just been honored with a letter from you, dated the 26th past, in which you express yourself as astonished, and appear to be angry, that you have no answer to a letter you wrote me on the 11th of December, which you are sure was delivered to me.

* 5 Sparks' Dip. Rev. Corr., 226.

† MSS. Dep. of State; 6 Bigelow's Franklin, 84.

In exculpation of myself, I assure you that I never received any letter from you of that date. And, indeed, being then but four days landed at Nantes, I think you could scarce have heard so soon of my being in Europe.

But I received one from you of the 8th of January, which I own I did not answer. It may displease you if I give you the reason, but, as it may be of use to you in your future correspondences, I will hazard that for a gentleman to whom I feel myself obliged, as an American, on account of his good will to our cause.

Whoever writes to a stranger should observe three points : 1. That what he proposes be practicable ; 2. His propositions should be made in explicit terms, so as to be easily understood ; 3. What he desires should be in itself reasonable. Hereby he will give a favorable impression of his understanding, and create a desire of further acquaintance. Now it happened that you were negligent in *all* these points; for, first, you desired to have means procured for you of taking a voyage to America *avec sûreté*, which is not possible, as the dangers of the sea subsist always, and at present there is the additional danger of being taken by the English. Then you desire that this may be *sans trop grandes dépenses*, which is not intelligible enough to be answered, because, not knowing your ability of bearing expenses, one can not judge what may be *trop grandes*. Lastly, you desire letters of address to the Congress and to General Washington, which it is not reasonable to ask of one who knows no more of you than that your name is Lith and that you live at Bayreuth.

In your last you also express yourself in vague terms when you desire to be informed whether you may expect *d'être reçu d'une manière convenable* in our troops. As it is impossible to know what your ideas are of the *manière convenable*, how can one answer this ? And then you demand, whether I will support you by authority in giving you letters of recommendation. I doubt not your being a man of merit, and, knowing it yourself, you may forget that it is not known to everybody; but reflect a moment, sir, and you will be convinced, that if I were to practice giving letters of recommendation to persons of whose character I know no more than I do of yours, my recommendations would soon be of no authority at all.

I thank you, however, for your kind desire of being serviceable to my countrymen, and I wish in return that I could be of service to you in the scheme you have formed of going to America. But numbers of experienced officers here have offered to go over and join our army, and I could give them no encouragement, because I have no orders for that purpose, and I know it extremely difficult to place them when they arrive there. I can not but think, therefore, that it is best for you not to make so long, so expensive, and so hazardous a voyage, but to take the advice of your friends, and "*stay in Franconia*."

I have, etc.,

B. FRANKLIN.

Franklin to D'Aranda, Spanish Ambassador to the Court of France.*

PASSY, April 7, 1777.

SIR: I left in your excellency's hands, to be communicated, if you please, to your court, a duplicate of the commission from Congress appointing me to go to Spain as their minister plenipotentiary. But as I understand that the receiving such a minister is not at present thought convenient, and I am sure the Congress would have nothing done that might incommodate in the least a court they so much respect, I shall, therefore, postpone that journey till circumstances may make it more suitable. In the mean time, I beg leave to lay before his catholic majesty, through the hands of your excellency, the propositions contained in a resolution of Congress, dated December 30, 1776, viz:

"That if his catholic majesty will join with the United States in a war against Great Britain, they will assist in reducing to the possession of Spain the town and harbor of Pensacola; provided the inhabitants of the United States shall have the free navigation of the Mississippi, and the use of the harbor of Pensacola; and will (provided it shall be true that his Portuguese majesty has insultingly expelled the vessels of these States from his ports, or has confiscated any such vessels) declare war against the said king, if that measure shall be agreeable to, and supported by, the courts of France and Spain."

It is understood that the strictest union subsists between these two courts; and in case Spain and France should think fit to attempt the conquest of the English sugar islands, Congress have further proposed to furnish provisions to the amount of two millions of dollars, and to join the fleet employed on the occasion with six frigates of not less than twenty-four guns each, manned and fitted for service; and to render any other assistance which may be in their power, as becomes good allies; without desiring for themselves the possession of any of the said islands.

These propositions are subject to discussion, and to receive such modification as may be found proper.

With great respect, I have the honor to be your excellency's most obedient and most humble servant,

B. FRANKLIN.

Deane to the President of Congress.†

PARIS, April 8, 1777.

SIR: The bearer, Viscount Mourreux, is the gentleman of whom I formerly wrote, and who has been long detained by a variety of accidents which he can relate to you at large. The engagements taken with him were previous to the arrival of my colleagues, who have not,

* 2 Sparks' Dip. Rev. Corr., 9; 6 Bigelow's Franklin, 86; see introduction, §§ 86 ff.

† MSS. Dep. of State: 1 Sparks' Dip. Rev. Corr., 78.

therefore, intermeddled in the affair. His character and abilities are high in estimation here, and the Comte de Broglio has written in particular to General Washington. He served under the comte, who commanded the armies of France with reputation in the last war.

I have the honor to be, with the most profound respect, etc.,

SILAS DEANE.

Dumas to Committee of Foreign Affairs. *

THE HAGUE, April 12, 1777.

GENTLEMEN: The letter of the date of October 24, 1776, with which you have honored me, did not arrive till the 4th of February this year. Sensible as I ought to be, gentlemen, of the great honor you do me in charging me to continue with you the correspondence which Dr. Franklin commenced and maintained with me on the affairs of the United States, I am only able to repeat what I have written to him and to the honorable committee of foreign affairs, of which he was then a member, that I will ever impose on myself a sacred law to answer your confidence and expectation. You will have here annexed a copy of letters which have been written to me by the French ministers at the Hague, the Abbé Desnoyers and the Duc de la Vauguyon. You will easily conjecture the contents of those which I wrote to them, and which are too long to recite here; moreover, a copy of the whole was not preserved.

As to what you add, gentlemen, that my expenses and labors shall be re-imburshed and compensated, I have the honor to say to you that I should esteem myself the most happy of men in being able to make without return all the advances and services of which you have need to sustain this memorable war. The Supreme Being, who sees the depth of my heart, is witness to the truth of this sentiment in all its extent. But to my great regret, although without shame, I avow myself as poor in means as rich in good will. The draft remitted to me by Dr. Franklin, of one hundred pounds sterling, on London, has been paid. On the other hand, since I received Dr. Franklin's letter and the orders of the committee, I have not hesitated to sacrifice to a commission so important, so honorable, and so agreeable to my principles and taste, not only a small running pension of sixty pounds which a book-seller paid me for a part of my time that was devoted to a work an account of which I communicated to Dr. Franklin some years since, but also about seventy pounds which I have already received for part of the work delivered, without which, considering my other actual duties, it would have been impossible for me to have time to attend to the execution of these orders. If I add to this at least fifty pounds that I have spent in postages, traveling charges, and other expenses, I find myself at this time seventy pounds, at least, in advance. But I should be very sorry, gentle-

men, that what I say here should turn you an instant from the important duties requiring your constant attention. For the same reason I have been unwilling to interrupt with these details the occupations of our gentlemen at Paris. If (which God forbid) America have not the success which my heart desires, her misfortunes will afflict me infinitely more than my loss. But if, on the contrary, I shall have the satisfaction to see liberty established and her prosperity secured, I doubt not she will render me an ample indemnity and reward.

I have the honor to be, etc.,

DUMAS.

Franklin, Deane, and Lee to Schulenburg, Minister to the King of Prussia.*

PARIS, April 19, 1777.

SIR: We received the letter which you did us the honor to write to us of the 15th ultimo, and should earlier have replied particularly thereto but from the daily expectation we had of receiving orders from the Congress of the United States on this important subject. We have their commands to inform his Prussian majesty's ambassador here, that they propose to send a minister to your respected court with all convenient expedition, properly empowered to treat upon affairs of importance, and that we are in the meantime instructed and authorized by Congress to solicit the friendship of your court, to request that it would afford no aid to their enemies, but use its good offices to prevent the landing of troops by other powers to be transported to America for their destruction, and to offer the free commerce of the United States to the subjects of Prussia.

We have taken the earliest opportunity of obeying these commands. But considering the great importance of establishing a free commerce between the two countries as soon as possible, and confident that every objection may be obviated, and the wished-for intercourse opened and established on the most certain and beneficial grounds to promote the interest of both countries, we propose that one of us shall wait on your excellency as soon as conveniently may be done, to explain personally the situation of America, the nature, extent, and importance of its commerce, and the methods by which it may be carried on with Prussia to mutual advantage. In the proposed interview we are confident the difficulties mentioned by your excellency may be surmounted, and a very considerable part of American commerce be turned to Prussia by measures neither dangerous nor expensive.

We have the honor to be, etc.,

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 418,

Franklin, Deane, and Lee to Ponte de Lima, the Ambassador from Portugal.*

PARIS, April 26, 1777.

SIR: The Congress of the United States of America have seen a paper purporting to be an edict of his Portuguese majesty, dated at the Palace of Ajuda the 4th of July, 1776, in which the said States are treated with contumely, their ships, however distressed, forbidden to enter any port in his dominions, and his subjects everywhere forbidden to afford them the least shelter or relief. But as this instrument has not been communicated to the Congress with any circumstance of authenticity, and appears only in gazettes which frequently contain fictitious pieces not to be relied on; as a long friendship and commerce has subsisted between the Portuguese and the inhabitants of North America, whereby Portugal has been supplied with the most necessary commodities in exchange for her superfluities, and not the least injury has ever been committed or even offered by America to that kingdom, the United States can scarcely bring themselves to believe that the said edict is genuine, and that Portugal, which, but little more than a century since, was with respect to its former government in a situation similar to theirs, should be the first to reproach them with it as a crime that rendered them unworthy of the common rights of humanity, and should be the only power in Europe that has rejected their commerce and assumed to judge their cause, and condemn them without authority, hearing, or inquiry. We, therefore, being ministers of the Congress of the said United States, have been charged by them to represent to his most faithful majesty their sincere desire to live in peace with all mankind, and particularly with his nation; that if he has been by their enemies surprised into the issuing of such an edict, he would be pleased in his wisdom to reconsider and revoke it; and that he would henceforth permit the continuance of the said friendly and commercial intercourse between his people and theirs which has ever been so advantageous to both. This representation we now take the liberty of making to your court through the medium of your excellency; and whatever might have been its reception if it had been made before the late change, we do not allow ourselves to doubt of its having in due time a favorable answer, being persuaded from the equitable character of the present government that the measure in question can not be approved of, and such unworthy treatment continued towards an inoffensive and friendly people.

With great respect, we have the honor to be, your excellency's most obedient and most humble servants,

B. FRANKLIN,
SILAS DEANE,
ARTHUR LEE,

*Commissioners Plenipotentiary
for the United States of North America.†*

* 6 Bigelow's Franklin, 93.

† Another draft of this paper is in 6 Bigelow's Franklin, 91.

Gardoqui to Lee. *

MADRID, April 28, 1777.

DEAR SIR: The 24th instant I had the pleasure to pay my last compliments to you, inclosing twenty second bills amounting to 81,000 livres, French money, as per duplicates herein, to serve in case of need; and being still without your favors, I have only to forward you a further sum of 106,500 livres, in sixteen bills, as per memorandum at foot hereof, with which I beg your doing the needful as usual, and pass the same to my credit, advising me of it in due time, by which you will oblige him who longs for the pleasure of hearing from you, and is with very unfeigned esteem and respect, etc.

JAMES GARDOQUI.

A MINUTE OF THE SIXTEEN INCLOSED BILLS.

Livres 6,000 drawn by P. Joyes & Sons, on Tourton & Baur.		
6,100	do.	do.
6,150	do.	do.
6,200	do.	do.
6,250	do.	do.
6,300	do.	do.
6,400	do.	do.
6,600	do.	do.
5,900 drawn by F. Vre. Gorvea, on Tassin, Father & Son.		
6,000	do.	do.
6,500	do.	do.
6,800	do.	do.
7,000	do.	do.
7,500	do.	do.
8,000	do.	do.
8,800	do.	do.

106,500 in sixteen second bills, all at 90 days' date, with which pray procure the first accepted, acknowledging receipt as soon as possible.

Carmichael to Dumas.†

PARIS, April 28, 1777.

SIR: Although nothing new has happened to us here worthy of notice, I take up my pen merely to assure you that our want of punctuality is not owing to want of friendship or respect. To entertain you with continued complaints of the inactivity of the European powers is a subject which I wish to banish as much from my thoughts as I do our enemies from our country. We are now acting a play which pleases all the spectators, but none seem inclined to pay the performers. All that we seem likely to obtain from them is applause. When I say all, I mean anything that will materially help our cause. This campaign will decide the fate of the war, though it may not finish it. The want of resolution in the House of Bourbon to assist us in the hour of distress

* 1 Sparks' Dip. Rev. Corr., 419.

† 5 Sparks' Dip. Rev. Corr., 228.

will be an argument with our people, if successful, to form no binding connections with them. If conquered, they will follow the conduct of the unsupported Scots in the war of 1745.

In the meantime they, to secure the little assistance which other princes may be induced to give them, must offer a share of that commerce to others which France might have wholly to itself. England is now offering to relinquish a share of a lucrative commerce to France on condition that the latter shuts its ports against us. But a few weeks ago an English agent assured me that the English administration saw through the designs of the House of Bourbon, saw that they meant to weaken us both, and by that means command us, and he offered every security America could wish to preserve its liberties as they stood in the year 1763, and a repeal of such acts as bound their trade previous to that, only that they must so far comply with the King's humor as not to give up his sovereignty, which would be of no use to him were the privileges of the Americans extended to the latitude mentioned.

To be the instrument of inducing my countrymen to accept these terms, the possession of an affluent income was offered to be secured to me in any part of the world I chose, whether successful or not in the attempt. You may judge how our conference ended. One reason why I am induced to stay in Europe is, that I should be obliged to give, in America, a faithful account of the situation of their affairs in Europe; as I am sure that the picture would be worth more to England than their subsidies to your hero, the Margrave of Hesse. We shall never be the subjects of the British Crown, I believe; but unless openly assisted by a power in Europe, we shall be an impoverished people, unable to distress our enemies abroad or to assist our friends. I am so confident myself of the interior weakness of England, that I would sacrifice my life on the issue, that if France, Spain, and the Emperor, would only agree to acknowledge the independence of the United States, there would not be occasion to strike a blow; from that moment the credit of England would be no more; inspirited by such a resolution taken in our favor in Europe, we would drive her armies from America, and soon her fleets from our coasts; but these generous resolutions subsist not in European polities. I hoped to have soon seen you, but your last letter, and one from Sir George Grand, have altered my resolution on that head. I have been laboring here to put you in such a situation as to enable you to follow the dictates of your own generous hearts in serving us more effectually, but the torpedo has struck us too.

Adieu.

WILLIAM CARMICHAEL.

Franklin, Deane, and Lee to Jonathan Williams.*

PARIS, May 1, 1777.

SIR: M. Cornic, of Morlaix, will order to your care a small vessel, designed as a packet for America. You will see by the contract copy inclosed, that we are to load goods to a certain amount, as she is instantly to be dispatched; we desire you will put the quantity of goods to be sent in her out of the bales on hand. We have ordered that future packets coming from America, or elsewhere, to Nantes for us shall be under your direction, of which you have informed M. Penet and Mr. Morris; you will, therefore, on the arrival of any vessel from America with dispatches for us, inform the captains, or persons charged with them, of your appointment, receive the letters, and send them to us in the most safe and expeditious manner. We advise you to charge the person bringing dispatches to say not a word of his errand to any one, and we confide in your prudence to conduct the receiving as well as the expedition of the packets with all possible secrecy.

We are, sir, etc.,

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

Franklin to Cushing.†

PARIS, May 1, 1777.

SIR: I thank you for your kind congratulations on my arrival here, and shall be happy in finding that our negotiations on this side the water are of effectual service to our country.

The general news here is, that all Europe is arming and preparing for war, as if it were soon expected. Many of the powers, however, have their reasons for endeavoring to postpone it, at least a few months longer.

Our enemies will not be able to send against us all the strength they intended; they can procure but few Germans, and their recruiting and impressing at home goes on but heavily. They threaten, however, and give out, that Lord Howe is to bombard Boston this summer, and Burgoyne, with the troops from Canada, to destroy Providence and lay waste Connecticut; while Howe marches against Philadelphia. They will do us, undoubtedly, as much mischief as they can; but the virtue and bravery of our countrymen will, with the blessing of God, prevent part of what they intend, and nobly bear the rest. This campaign is entered upon with a mixture of rage and despair, as their whole scheme of reducing us depends upon its success; the wisest of the nation being clear, that if this fails, administration will not be able to support another.

* 1 Sparks, Dip Rev. Corr., 209.

† MSS. Dep. of State.

We just now hear from Port L'Orient that a privateer from Boston, the brig *Rising States*, Captain Thomson, has sent in a prize there, laden with fruit and wine from Lisbon to London, being the third she has taken. And Mr. Greenwood, a painter, formerly of Boston, who was here a few days since, and returned to London, writes from Dover that he saw landed there eight captains and their mates, out of a Dutch homeward-bound ship, which had been put on board her in the channel by an American privateer, who had taken their several ships and burnt two of them. We do not know the privateer's name.

With great respect, etc.,

B. FRANKLIN.

Franklin to John Winthrop.*

PARIS, May 1, 1777.

DEAR SIR : I received your kind letter of February 28, which gave me great pleasure. I forwarded your letter to Dr. Price, who was well lately; but his friends, on his account, were under some apprehensions from the violence of government, in consequence of his late excellent publications in favor of liberty. I wish all the friends of liberty and of man would leave that sink of corruption and leave it to its fate.

The people of this country are almost unanimously in our favor. The government has its reasons for postponing a war but is making daily the most diligent preparations wherein Spain goes hand in hand. In the mean time America has the whole harvest of prizes made upon the British commerce, a kind of monopoly that has its advantages, as by affording greater encouragement to our cruisers, it increases the number of our seamen and thereby augments our naval power.

The conduct of those princes of Germany who have sold the blood of their people has subjected them to the contempt and odium of all Europe. The Prince of Anspach, whose recruits mutinied and refused to march, was obliged to disarm and fetter them, and drive them to the seaside by the help of his guards, himself attending in person. In his return he was publicly hooted by mobs through every town he passed in Holland, with all sorts of reproachful epithets. The King of Prussia's humor of obliging those princes to pay him the same toll per head for the men they drive through his dominions as used to be paid him for their *cattle*, because they were sold as such, is generally spoken of with approbation, as containing a just reproof of those tyrants. I send you inclosed one of the many satires that have appeared on this occasion.†

* 6 Bigelow's Franklin, 97.

† This practical joke of Frederick's was fully warranted by the nature of the traffic in which his fellow-sovereigns were embarked. George III, in one of his letters to Lord North, dated from Kew, August 20, 1775, said :

"As to the proposals transmitted by Mr. Romer, they all end in corps of officers,

With best wishes of prosperity to yourself and to my dear country,
where I hope to spend my last years, and lay my bones,

I am ever, dear sir, your affectionate friend,

B. FRANKLIN.

Franklin to Samuel Cooper.*

PARIS, May 1, 1777.

I thank you for your kind congratulation on my safe arrival here and for your good wishes. I am, as you supposed treated with great civility and respect by all orders of people; but it gives me still greater satisfaction to find that our being here is of some use to our country. On that head I can not be more explicit at present. *

I rejoice with you in the happy change of affairs in America last winter. I hope the same train of success will continue through the summer. Our enemies are disappointed in the number of additional troops they purpose to send over. What they have been able to muster will not probably recruit their army to the state it was in the beginning of last campaign; and ours, I hope, will be equally numerous, better armed, and better clothed than they have been heretofore.

All Europe is on our side of the question, as far as applause and good

which can not be done but by act of Parliament; the only idea these Germans ought to adopt (sic) is the being contractors for raising recruits and fixing the price they will deliver them at Hamburg, Rotterdam, and any other port they may propose."

This is very much in the style of a cattle-trader.

Schiller, in his "Kabale und Liebe," Act II, scene 2, glances at the ill-repute in which this white slave-trading was held in Germany; and in a letter from Frederick to Voltaire we have his opinion again:

"Je vous renvoie du 'catéchisme des Souverains,' production que je n'attendais pas de M. le Landgrave de Hesse. Vous me faites trop d'honneur de m'attribuer son éducation. S'il était sorti de mon école, il ne se serait point fait catholique et il n'aurait pas vendu ses sujets aux Anglais comme on vend le bétail pour l'égorger."—"Œuvres posth. de Frédéric," tom. I., p. 325.

The sympathies of Frederick in these days were all with the French and Americans as against England. The writer of the "Correspondence, secrète et inédite sur Louis XVI, Marie Antoinette," etc., says under date of November 3, 1777, vol. I, p. 108:

"In a letter which the King of Prussia has written to one of his literary correspondents in Paris, this passage occurs: 'I send you my secret against hydrophobia; it is certain that it has failed in none of the trials I have given it here. It should be administered to the British Parliament, which acts like an infuriated fool in the American business. It is now about to embroil itself again with Russia. I have the abiding hope that you will don your cuirass against this God dem; that you will aid the Colonies to become free, and retake Canada, which they so wrongfully took from you. It is the wish of my heart, and it should be also the dictate of policy.'"

The same authority cites another letter from the same source to D'Alembert, just two weeks later, in which the king says: "I like these brave fellows, and can not help secretly hoping for their success. It must be admitted that you are very pacific."

In less than three months from this time the alliance between the Colonies and France was signed.—BIGELOW.

* 6 Bigelow's Franklin, 96.

wishes can carry them. Those who live under arbitrary power do nevertheless approve of liberty, and wish for it; they almost despair of recovering it in Europe; they read the translations of our separate colony constitutions with rapture, and there are such numbers everywhere who talk of removing to America with their families and fortunes as soon as peace and our independence shall be established, that it is generally believed we shall have a prodigious addition of strength, wealth, and arts, from the emigration of Europe; and it is thought that to lessen or prevent such emigrations the tyrannies established there must relax and allow more liberty to their people. Hence it is a common observation here that our cause is *the cause of all mankind*, and that we are fighting for their liberty in defending our own. It is a glorious task assigned us by Providence, which has, I trust, given us spirit and virtue equal to it, and will at last crown it with success.

I am ever, my dear friend, yours most affectionately,

B. FRANKLIN.

Harrison et al., Committee of Foreign Affairs, to the Commissioners at Paris.*

PHILADELPHIA, May 2, 1777.

GENTLEMEN: Your dispatches, dated February 6 and 8, were safely received by us about the middle of April. We observe your remarks on the timorousness of the French merchants respecting the forming of trading companies, which you say is occasioned by the change and fluctuation of news. That the spirit for trade will always be governed by the rise and fall of military strength is a maxim always to be admitted in the first attempts to establish a commerce between any two nations, because success in war is supposed to give security or protection to it; but this timidity ceases naturally as soon as a trade is opened, for losing or gaining after that equally produces a spirit of adventuring further. Therefore we wish to enter into a trade with them as soon as possible, because, as nothing can abridge or prevent their profits but the enemy's making prizes of their ships, the consequence will be that they will either be encouraged by the gain or aggravated by the loss to come to a serious understanding with the court of Britain. We advise you to be constantly holding up the great advantages which the crown and commerce would receive by their possessing themselves of the West Indies; and we trust to your wisdom in making all the use possible of the English newspapers, as a channel through which to counteract the folly and falsehood of which you complain; and rest assured that every material circumstance, either for or against, will be dispatched to you with the utmost expedition.

By information from New York it appears that the more discerning part of the English generals begin to give up the thought of conquest,

* MSS. Dep. of State: 1 Sparks' Dip. Rev. Corr., 209, with verbal changes.

and of consequence the fear of totally losing the trade of America must accompany the despair of arms; therefore we conceive that the English newspapers are now calculated to deter the French from beginning to taste the sweets of our trade. Their falsehoods, rightly understood, are the barometers of their fears; and in proportion as the political atmosphere presses downward, the spirit of faction is obliged to rise. We wish it to be understood that we pay too much respect to the wisdom of the French cabinet to suppose that they can be influenced by such efforts of visible despair, and that we have too much reverence for the honor of the American Congress to prostitute its authority by filling our own newspapers with the same kind of invented tales which characterize the London Gazette.

We observe that General Howe, in his letter to the Administration, printed in the London Gazette of December 30, apologizes for not having written to them since his taking possession of New York, nearly three months. Here is the proper field to speculate on silence, because his business is conquest, ours defense and repulse; and because, likewise, he has the sea more open to him than we have, had he anything to send that would please. Therefore, silence on his part is always to be considered as a species of good news on ours.

The Congress highly approve your dividing yourselves to foreign courts, and have sent commissions for that purpose, and likewise commissions for fitting out privateers in France.

The *Mercury*, from Nantes, is safely arrived in New Hampshire. The *Amphitrite* and *Seine* we are yet in hopes of. We shall notice the conduct of Nicholas Davis. We have presented Marshal Maillebois's sentiments on the mode of war to Congress, who are greatly pleased therewith, and entertain a high respect for the author.

Our last account gave you a state of news down to March, since which nothing material happened. The enemy, wearied and disappointed in their last winter's campaign, still continue in a state of dormancy at New York and Brunswick. The Congress is returned to Philadelphia. General Washington remains at Morristown, and occupies the same posts as when the last dispatches were sent you. The principal object now is the recruiting service, which has been greatly promoted by some late resolves of Congress. Our troops have been under inoculation for the small-pox with good success, which we hope will be a means of preserving them from fevers in summer. However, it will frustrate one cannibal scheme of our enemies, who have constantly fought us with that disease by introducing it among our troops.

When we look back to the beginning of last December, and see our army reduced to between two and three thousand men, occasioned by the expiration of the time for which they were enlisted, we feel exceedingly happy in contemplating the agreeable condition and prospect our affairs are now in. We have, since that period, reduced the enemy more than our whole army at that time amounted to; and scarce a day passes in which they do not suffer either by skirmishes or desertions.

The Congress have it in contemplation to remove the garrison from the present fort, in the district of Ticonderoga, to Fort Independence, in the same district, which they judge will command that pass with greater advantage, and is a much healthier situation. We mention this, as the enemy will probably give an air of triumph to the evacuation, should it be done. The distance between the two is about a quarter of a mile.

As General Howe is preparing a bridge of boats, we think it possible that he might, by a sudden and forced march, reach this city; but we are clearly of opinion that he would be ruined by the event; and though we are not under much apprehension of such a movement, yet we think it proper to give you the case, with our opinion thereon.

We are, gentlemen, your obedient, humble servants,

BENJAMIN HARRISON.

ROBERT MORRIS.

THOMAS HAYWARD.

JAMES LOVELL.

A. Lee to Gardoqui.*

PARIS, May 8, 1777.

DEAR SIR: I received yours of the 24th ultimo, with its inclosures, which I have disposed of as the inclosed receipt will show. It is taken for granted that they are for the purposes settled at Vitoria, and to such the produce of them and of the rest will be applied.

I beg you will express my warmest sense of this assistance, where you know the expression of it is due. The business in which we have engaged in Holland will be much more expensive than the estimate, which is too often the case. Assistance therefore comes very apropos. As I am obliged to make another little journey, I must beg you for the future to correspond with Dr. Franklin, and substitute his name for mine on the paper. He will do everything that is necessary, and correspond with you in my place. You are not likely to be a loser by the change.

We have not had any express lately from America, but expect one every moment. Our enemies have had several, and as they choose to be perfectly silent as to their contents, and leave the public to reports and conjectures, it is presumable that, at least, nothing favorable has happened on their side. The Congress is certainly returned to Philadelphia, which is an unquestionable proof of the security in which our late advantages have placed that city. We have lost within these two months four very valuable rice, indigo, and tobacco ships by treachery and capture. But in return, one week's advices of the captures we have made, according to the estimate in London, exceeds £200,000 sterling in British goods. Indeed, common sense might have forewarned them of this, because they have twenty ships at sea for one of ours, and the number of privateers is always in proportion to the temptation, that is

* 1 Sparks' Dip. Rev. Corr., 420.

to the probability of making prizes. Without the second sight, therefore, of their Scotch advisers, they might have foreseen that their commerce would suffer infinitely in this foolish and wicked war.

I have the honor to be, etc.,

ARTHUR LEE.

A. Lee to Schulenburg.*

PARIS, May 8, 1777.

SIR: In consequence of the letter which, in conjunction with my brother commissioners, Dr. Franklin and Mr. Deane, I had the honor of writing to your excellency, I intended to depart from hence for Berlin before this time. But an accident having happened, which inevitably prevents me from setting out, I am under great anxiety lest your excellency should impute my delay to a want of that perfect respect which I ought to feel for your excellency's court and character.

I must, therefore, entreat you, sir, to believe that nothing can be more painful to me than the necessity which delays and will delay me for some days longer, and that I will not intentionally lose one moment in preparing to testify in person with what entire respect and consideration I have the honor to be, etc.,

ARTHUR LEE.

Harrison et al., Committee of Foreign Affairs, to Dumas.[†]

PHILADELPHIA, May 8, 1777.

SIR: We have received your several favors to the 1st of May [‡] and shall always have a grateful memory of your sentiments and exertions in our cause, but as we have new commissioners settled in France, we think it needless that you should be at the trouble of forwarding to us from time to time, that collection of papers which we formerly mentioned to you. We shall inform our friends at Paris of our opinion on this head and leave it to them to point out the way in which your zeal may be most useful to them and us with the least degree of trouble to yourself and injury to your domestic interests.

The humility of the Count de Welderens memorial seems to have been followed by some positive orders to our disadvantage in the West Indies. We doubt not you will continue to give our commissioners at Paris the fullest information on all such points, from whom we shall consequently obtain it.

We have the honor to be, etc.,

BENJ. HARRISON.
ROBERT MORRIS.
JAMES LOVELL.

* 1 Sparks' Dip. Rev. Corr., 421.

[†] 5 Sparks' Dip. Rev. Corr., 230.

[‡] Thus in the original, but probably an error in the month, as this letter is dated on the 8th of May.—SPARKS.

Morris et al., Committee of Foreign Affairs, to the Commissioners at Paris.*

PHILADELPHIA, May 9, 1777.

GENTLEMEN: This letter is intended to be delivered to you by John Paul Jones, an active and brave commander in our navy, who has already performed signal services in vessels of little force; and, in reward for his zeal, we have directed him to go on board the *Amphitrite*, a French ship of twenty guns, that brought in a valuable cargo of stores from Messrs. Hortalez & Co., and with her to repair to France. He takes with him his commission, some officers and men; so that we hope he will, under that sanction, make some good prizes with the *Amphitrite*; but our design of sending him is (with the approbation of Congress) that they may purchase one of those fine frigates that Mr. Deane writes us you can get, and invest him with the command thereof as soon as possible. We hope you may not delay this business one moment, but purchase, in such port or place in Europe as it can be done with most convenience and dispatch, a fine, fast-sailing frigate, or larger ship. Direct Captain Jones where he must repair to, and he will take with him his officers and men towards manning her. You will assign him some good house, or agent, to supply him with every thing necessary to get the ship speedily and well equipped and manned, somebody that will bestir himself vigorously in the business, and never quit until it is accomplished.

If you have any plan or service to be performed in Europe by such a ship, that you think will be more for the interest and honor of these States than sending her out directly, Captain Jones is instructed to obey your orders, and, to save repetition, let him lay before you the instructions we have given him, and furnish you with a copy thereof; you can then judge what will be necessary for you to direct him in; and whatsoever you do will be approved, as it will undoubtedly tend to promote the public service of this country.

You see by this step how much dependence Congress places in your advices, and you must make it a point not to disappoint Captain Jones's wishes and our expectations on this occasion.

We are, gentlemen, your obedient, humble servants,

ROBERT MORRIS.

RICHARD HENRY LEE.

WILLIAM WHIPPLE.

PHILIP LIVINGSTON.

* 1 Sparks' Dip. Rev. Corr., 212.

Carmichael to Dumas.*

PARIS, May 9, 1777.

SIR : At length we have an opportunity of discovering what we have long imagined, the arts which the English Government has made use of to circulate their various falsehoods through Europe respecting their affairs in America. Their packet from Hardwick to Helvoetsluy's is fallen into our hands, with every letter from the ministry and others, though I make no doubt that they will give out that their most important letters are saved. Such a report will answer more ends than one. It will set at peace the alarmed consciences, or rather apprehensions, of their correspondents. We have it under Lord Suffolk's secretary's hands, Mr. Fraser and Mr. Eden, that Government had no advices from New York on the last of April, but at this particular period, when the eyes of all the world would be upon them, viz, when opening the budget it was necessary to toss out a tub to the whale, for which reason it was thought necessary to —— General Washington, and to put Mr. Dickenson at the head of five thousand men in the lower counties of Delaware. A very curious reason is given for promulgating the latter lie, that the less probability there appears to be in it the more readily the world will believe ; for will they imagine that ministers dare circulate what no one will imagine true ? And they appeal to former untruths of similar absurdity, which had their effect, and when found false were overlooked by the indulgent public.

The line of Sir Joseph Yorke's conduct is marked and curious, as well as that of their minister at *another court* ; our plan did not wholly take effect, or we should have had his dispatches likewise.

The miserable Prince of Hesse affords his friends in England some merriment, but he can make use of the old adage, *let them laugh who win*. He has the absurdity to be angry with your Gazetteer of Utrecht and the English news writers, and his minister there is ordered to complain on the subject. The reflections of the English minister, Lord Suffolk, on this complaint are as curious as they are just, and merit well reaching the Prince. If he bribes me with a part of his slave-money, he shall have the letter at length, signed "Suffolk." I always said, and have now proof positive before me, that in the height of English arrogance and success, their Chatham-aping minister, Lord George Germain, meant to hold the same language to France that they unfortunately did to Holland, and were prepared, should this court show the least refractoriness, to begin the same game they played in 1756. An open war they have never feared from France, for they were well assured that would not be the case, but the French preparation gave them a good excuse for arming completely, and for drawing money from the people, and the American minister, Lord George Germain, was too shrewd to let slip an opportunity. We paid so much respect to your States that we would not seize Sir Joseph Yorke's messenger in the packet from

* 5 Sparks' Dip. Rev. Corr., 231.

Helvoetsluys, for we could have boarded her with as much ease as the others.

I have not time to communicate the thousand little particulars which have lately been inspected by me, but hope to have a future opportunity of doing it. Our captain, being in search of bank bills and bills of exchange, did not pay much attention to *personages*, for which I am heartily vexed; however, good nature must make allowances. This matter will occasion a little bustle, perhaps a great deal. I had rather be sent home to fight manfully, or to make peace politically, than to be in this miserable shilly-shally way here. I have the pleasure to acquaint you that Hopkins's squadron, all but two, have got to sea; so that Sir Peter Parker may write information to the ministry, and this will be giving a good account of them, as he promised. Our levies went on swimmingly, and had the Howes, sent out from here, arrived there when it was intended they should, we should have pushed Howe again to Halifax.

I am, etc.,

WILLIAM CARMICHAEL.

Franklin to Dumas.*

PASSY, NEAR PARIS, May 12, 1777.

SIR: Last night we received a packet from North America with some advices, of which I send you the substance. I see your letters now and then to Mr. Deane and Mr. Carmichael, and thank you for the kind mention made of me in them. I am so bad a correspondent that I do not desire a letter from you directly.

But I am, nevertheless, with great esteem, dear sir, your affectionate friend,

B. FRANKLIN.

P. S.—I suppose Mr. Deane has sent you the bill.

A. Lee to the Committee of Foreign Affairs.†

PARIS, May 13, 1777.

GENTLEMEN: I am happy to inclose you the proofs that our friends are not unmindful of their promises. I have given Dr. Franklin a power of attorney to indorse any future bills that may arrive, and to dispose of the money. When the flota arrives, which may be in about two months, then will be the time to press for the loan you desire.

I am now at liberty to pursue my purpose at the court of Berlin, for which I shall set out in a few days; as I shall be obliged to make a

*5 Sparks' Dip. Rev. Corr., 232.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 421, with omissions and verbal changes.

tour, the direct road lying through the territories of all the hostile princes, it will of necessity protract my journey. Mr. Sayre, late sheriff of London, is to accompany me as secretary, Mr. Carmichael having refused to go unless the commissioners would give him a commission, which we did not think ourselves authorized to do. This has unavoidably delayed me some days.

From every information I am able to obtain, our enemies are much pressed to make a tolerable appearance this campaign. Something extraordinary must happen to enable the King of Great Britain to [gratify the malignity of his passions by continuing]* the war, should this campaign fail. [His chief resource is the desperation of the Howes and Lord Cornwallis, whose bankrupt honor will admit of no alternative but death or victory.] * Whatever a man impelled by the most inimical disposition can do, may be expected from him. It is certain he has made some concessions in the fishery to this court, in hopes of keeping them quiet; but we need not be much afraid about the effects of them. Our ground here is firm, and though not so ample as our wishes, yet I trust it will be equal to our wants.

I beg the favor of having my utmost duty and respect presented to Congress, and have the honor to be, etc.,

ARTHUR LEE.

Dumas to Committee of Foreign Affairs.[†]

AMSTERDAM, May 16, 1777.

GENTLEMEN: I send you, with some gazettes, an extract of my last dispatch and a piece entitled "*Advice to the Hessians*," which, having passed about in manuscript through this country, was afterwards printed in a hand-bill, and at length inserted in the periodicals. The day before yesterday, the 14th, the book-seller Rey received from The Hague the following note, which he immediately sent to me at a country house where I am residing, thinking I might know the person interested, which I do not:

"Mr. Rey is desired to inform the author of *Advice to the Hessians* to quit Holland immediately. Orders are dispatched to arrest him."

I am not at present at The Hague, but as soon as I shall be able to return thither I will inform myself of this affair. In the mean time I think it is false that they have given such orders, and that this letter was only written to intimidate, as was that written from Cassel to one of our journalists.

I am sorry not to be able to devote all my time to your service. I might contract many connections and acquaintances and make some useful journeys, profiting by favorable circumstances and moments both

* Passages in brackets omitted in Sparks' edition.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Cor., 233.

at The Hague and Amsterdam, which I am now obliged to let escape, not being able to go and remain as long as is necessary in these cities.

I have the honor to be, etc.,

CONCORDIA* (DUMAS).

A. Lee to Franklin.

VIENNA, May 18, 1777.†

DEAR SIR: The post is in, and nothing from you. I therefore shall proceed to-morrow, and hope to reach my destination in eight days.

The chief purpose for giving money, stated in my Memorial,‡ was to pay the interest of our loans and support our funds. I added the paying for the ship we were obliged to build in Holland, in lieu of those requested. To these purposes, therefore, they will expect the money will be applied.

Yours, etc.,

ARTHUR LEE.

Schulenburg to A. Lee.

[Translation.]§

BERLIN, May 20, 1777.

SIR: I have been informed by the letter which you did me the honor of writing to me the 8th instant that in consequence of the one sent me the 19th of last month, on the part of Messrs. Franklin, Deane, and yourself, you were on the point of coming here, but for an unforeseen accident that prevented you.

My answer of the 11th instant will acquaint you, sir, that I still apprehend difficulties which may interfere in the present circumstances with the establishment of a direct commerce between His Majesty's subjects and the Colonies of North America, and that I consider our correspondence on this subject rather as preliminaries to what may come to pass than as negotiations from which any immediate advantages may be expected.

This leads me to believe, sir, that you have no reason to distress yourself on account of this delay to your journey, and that you can not be reproached with want of zeal for the interests of your constituents when you defer for some time an affair the success of which can not most probably but be slow, to manage other matters more important and pressing.

I have the honor to be, etc.,

BARON DE SCHULENBURG.

*Dumas frequently did not sign his name, but used the motto, "Concordia res parvae erescunt, discordia maxima delabuntur," or the first word of it.

† MSS. Dep. of State: 1 Sparks, Dip. Rev. Corr., 423, under date of May 28, 1777.

‡ Memorial to the court of Spain, dated Burgos, March 8, 1777.

§ 1 Sparks' Dip. Rev. Corr., 422.

Franklin and Deane to Committee of Foreign Affairs.*

PARIS, May 25, 1777.

GENTLEMEN: Agreeable to what we mentioned in ours of March 14 and April 9,† (a third copy of which we send herewith), Mr. Lee tarried here some time after his return from Spain. No news arriving (though we received letters from you) of any commissioner being actually appointed for Prussia, and the necessity of a good understanding with that court, in order to obtain speedily a port in the northern seas, appearing more and more every day, on various occasions, he concluded, with our approbation, to set out for Berlin, which he did about a week since, and we have reason to hope good effects from that journey.

The points principally in view are (besides the acknowledgment of American independency) an open port for German commerce, and the permission of fitting out armed vessels to annoy the enemy's northern trade, and of bringing in and selling our prizes. If these points can be obtained we are assured we might soon have a formidable squadron there, and accumulate seamen to a great amount. The want of such a free port appears in the late instance of Captain Cunningham's arrest at Dunkirk, with the prizes he brought in. For though the fitting out may be covered and concealed by various pretenses, so at least to be winked at by the Government here, because those pretenses afford a good excuse for not preventing it, yet the bringing in of prizes by a vessel so fitted out is so notorious an act, and so contrary to treaties, that if suffered must occasion an immediate war. Cunningham will, however, through favor, be discharged with his vessel, as we are given to understand, but we must put up with the loss of the prizes, which, being reclaimed, will be restored.‡ This is an occasion of triumph to

* MSS. Dep. of State: 1 Sparks' Dip. Rev. Corr., 213.

† Missing.

‡ Cunningham was the commander of an American privateer, with which he went into Dunkirk. He there took his arms out of his ship, and said he should load it with merchandise for one of the ports in Norway. As this declaration was suspected, security was demanded. Two persons, Hodge and Allen, became responsible for him. Cunningham actually left the port of Dunkirk without arms, but he caused sailors, canon, and munitions to be sent out to him in the night, while he was in the ship's road, off Dunkirk; and he shortly after took the English packet-boat *Prince of Orange*. As soon as this maneuver of Cunningham's came to the knowledge of the French Government, they caused Hodge, one of the securities, to be arrested and conducted to the Bastile. The packet-boat was restored to the British Government without the form of a process. After six weeks' confinement, Hodge was released.—SPARKS.

"When a bold American adventurer, one Cunningham, had taken and carried into Dunkirk, with a privateer fitted out at that port, the English packet from Hollaud, and sent the mail to the American minister at Paris, it then seemed necessary in some degree to discontenance so flagrant a violation of good neighborhood, as well as of the standing treaties between the two nations; and even of the particular marine laws and regulations established in France, in regard to her conduct with the people of other countries. Cunningham and his crew were accordingly com-

our enemies which we must suffer them to enjoy for the present, assured as we are by the most substantial proofs of the friendship of this court and of Spain, which we are persuaded will soon manifest itself to all the world. The latter has already remitted to us a large sum of money, as you will see by Mr. Lee's letters,* and continues to send cargoes of supplies, of which you have herewith sundry accounts. Many of these transactions are, by some means or other, known in England, which dares not resent them at present, but the opinion of an approaching war gains ground every day.

We are preparing the accoutrements you ordered for the horse, but they will take time. Had there been such in the magazines here, we might have possibly borrowed on condition of replacing them. Pistols (four hundred and fifty pair) are already sent; the whole number will be forwarded as fast as they can be got ready. Colonel Forrester, an experienced officer of horse, has given us a specimen of complete accoutrements, which have been found best; the saddle is of a singular contrivance, very cheap, and easily made or repaired, and the buff belts so broad that, crossing on the breast, they are good armor against the point of a sword or a pistol bullet. We propose to have as many sets made with these saddles as will mount a squadron, but shall omit saddles for the rest, as they will take up too much room in the vessels, and soon can be made with you. Colonel Forrester is highly recommended to us, and we believe will go over. Clothing for ten thousand men is now in hand, making for us by contract, and other proposed contracts are under consideration for the rest of the eighty thousand men ordered. We hope to have them with you before next winter, or that if all can not be got, the cloth we have sent and are sending will make up the deficiency.

The large brass cannon are not to be had here; we have been treating with a Swedish merchant about them, but find too many difficulties in getting them from that country; so that, finally, understanding you have some founders with you, and that we can have others to go from hence, we conclude to send two artists in that way with the metal to cast the number wanted, omitting only the field pieces of which we suppose you have by this time a number sufficient. Some large iron

mitted for some short time to prison. Yet this appearance of satisfaction was done away by the circumstances which attended it. For Cunningham's imprisonment was represented to the Americans as proceeding merely from some informality in his commission, and irregularity in his proceedings, which had brought him to, if not within, the verge of piracy, and which were too glaring to be entirely passed over without notice. And he was, with his crew, not only speedily released from their mock confinement, but he was permitted to purchase, fit out, and arm a much stronger vessel and better sailors than the former, avowedly to infest as before the British commerce." London Annual Register, 1778, 37.—See further as to Conyngham (or Cunningham) commissioners to committee, May 26, 1777. Deane to Morris, Aug. 23, 1777; A. Lee to committee, Nov. 15, 1777.

* See Arthur Lee's letter of May 13, 1777.

cannon are offered to us cheap from Holland of which we think to send a quantity, for though too heavy for the army they may be of use for the navy, galleys, gondolas, etc.

We can not omit repeating, as we think it a matter of the greatest importance towards supporting the credit of your paper money, that you may rely on a punctual payment here of Congress bills drawn on us for the discharge of the interest of the sums borrowed; that is to say, in the proportion of six Spanish dollars or the value in French money for every hundred borrowed in your paper. But as the offer of six per cent. was made before you could know of this advantage to the borrower, perhaps you may, on the knowledge and experience of it, be able to reduce the interest in future loans to four per cent., and find some means by taxes to pay off the six per cent.

Our treaty of commerce is not yet proceeded on, the plan of this court appearing to be not to have any transaction with us that implies an acknowledgment of American independency while their peace continues with England. To make us more easy with this, they tell us we enjoy all the advantages already which we propose to obtain by such a treaty, and that we may depend on continuing to receive every indulgence in our trade that is allowed to the most favored nations. Feeling ourselves assisted in other respects, cordially and essentially, we are the more readily induced to let them take their own time, and to avoid making ourselves troublesome by an unreasonable importunity. The interest of France and Spain, however, in securing our friendship and commerce, seems daily more and more generally understood here, and we have no doubt of finally obtaining the establishment of that commerce with all the formalities necessary.

We submit it to your consideration whether it might not be well to employ some of your frigates in bringing your produce hither, ordering them, after refreshing and refitting, to make a cruise in the northern seas upon the Baltic and Hamburg trade, send their prizes home, north about, then return to France and take in a loading of stores for America.

The Marquis de La Fayette, a young nobleman of great family connections here and great wealth is gone to America in a ship of his own, accompanied by some officers of distinction, in order to serve in our armies. He is exceedingly beloved and everybody's good wishes attend him; we can not but hope he may meet with such a reception as will make the country and his expedition agreeable to him. Those who censure it as imprudent in him do nevertheless applaud his spirit, and we are satisfied that the civilities and respect that may be shown him will be serviceable to our affairs here, as pleasing not only to his powerful relations and to the court but to the whole French nation. He has left a beautiful young wife [big with child]* and for her sake particularly we hope that his bravery and ardent desire to distinguish him-

*Words in brackets omitted by Sparks.

self will be a little restrained by the General's prudence, so as not to permit his being hazarded much, but on some important occasion.

We are, very respectfully, etc.,

B. FRANKLIN.
SILAS DEANE.

P. S.—We inclose a copy of Messrs. Gardoqui's last letter.* We have received Mr. Morris's of March 7, 25, and 28, and are much obliged by the intelligence contained. We send a quantity of papers.

Franklin and Deane to Committee of Foreign Affairs.†

PARIS, May 26, 1777.

GENTLEMEN: The Navy of the United States, increasing in the number of its ships and force, it is of the utmost importance to direct the cruises of the ships of war, which belong either to the States or individuals, so as to annoy and alarm the enemy the most effectually, and at the same time to encourage our brave officers and seamen by the value of prizes. The West India trade was so intercepted the last season that, besides endangering the credit of every West India house in England, and absolutely ruining many, greatly helped towards sinking the revenues of Great Britain, which it was confidently asserted the other day in the House of Commons, and was not contradicted by the minister, had sunk the last year nearly one million below the usual incomes. This trade can not be attacked the coming season to equal advantage, as it will not be by any degree so large, and will be armed and under convoy. But as the commerce of Great Britain is very extensive, good policy dictates that we attack it in more than one sea, and on different coasts. The navy of Great Britain is not sufficiently numerous to infest the whole coast of North America, and at the same time guard their own, much less protect and convoy their trade in different seas.

We have not the least doubt but that two or three of the Continental frigates, sent into the German ocean, with some lesser swift-sailing cruisers, might intercept and seize great part of the Baltic and northern trade, could they be in those seas by the middle of August at farthest; and the prizes will consist of articles of the utmost consequence to the States. One frigate would be sufficient to destroy the whole of the Greenland whale fishery, or take the Hudson Bay ships returning. In a word, they are unsuspecting and unguarded on that quarter, and the alarm such an expedition would give must raise the insurance in England at least twenty per cent., since Captain Cunningham's adventure occasioned ten per cent. to be given on the packet boats from Dover to

* Missing.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 217, with verbal changes.

Calais. Captain Cunningham having been put in prison, and the prizes restored, they are again lulled into security;* the whole western coast of England and Scotland, and indeed almost the whole of Ireland, is at this moment unguarded either by ships of war or troops, except a few sloops or cutters to watch smugglers.

We submit to the Congress the following plan: To send three frigates, loaded with tobacco for Nantes or Bordeaux, and that they be manned and commanded in the best possible manner. That on their arrival in either of the above rivers, they make but little appearance of strength, and endeavor to pass for common cruisers; while they are refitting, which should be in different ports, near each other, intelligence might be had of the position of the British fleet, and the circumstances of the different towns on the sea-coast, and of the merchant ships in them; in consequence of which a blow might be struck that would alarm and shake Great Britain, and its credit, to the center. The thought may appear bold and extravagant, yet we have seen as extraordinary events within these two years past, as that of carrying the war to our enemy's doors. As it appears extravagant, it will be in consequence unexpected by them, and the more easily executed. The burning or plundering of Liverpool or Glasgow would do us more essential service than a million of treasure and much blood spent on the continent. It would raise our reputation to the highest pitch, and lessen in the same degree that of our enemy's. We are confident it is practicable, and with very little danger, but times may alter with the arrival of the frigates, yet in that case their cruise on this coast bids fairer to be profitable than on any other, and they may at least carry back in safety many of the stores wanted, which is a most capital object, should the other be laid aside.

Every day's experience confirms to us what is pointed out indeed by nature itself, the necessity of rendering America independent in every sense of the word. The present glorious, though trying contest, will do more to render this independence fixed and certain, if circumstances are seasonably improved, than would otherways have been effected in an age. The manufacturing of any one necessary article among ourselves is like breaking one link of the chains which have heretofore bound the two worlds together, and which our artful enemies had, under the mask of friendship, been long winding round and round us, and binding fast. Thus, as foundries for cannon, iron as well as brass, are erecting, if they are at once erected large enough to cast of any size, we may in future be easy on that important article, and independent on the caprice or interest of our pretended friends for a supply; and to forward this we shall take the liberty of sending over some of the most skillful founders we can meet with.

The jealousy which reigns among the maritime powers of Europe with their narrow, weak, and contemptible system of polities, prevents our being able to procure ships of war, to remedy which you have with

* See Franklin and Deane to committee, May 25, 1777, with note.

you timber, iron, and workmen, and we must send you over sail-cloth and cordage as fast as we can. The importance of having a considerable naval force is too obvious to need our saying more than that we conceive no apparent difficulty or obstruction ought to deter us from pushing it forward to the utmost of our power. We have sent you, by a former conveyance, a plan of a frigate on a new construction, and now send you the duplicate, which we submit to the judgment of those better skilled than we pretend to be in naval affairs, but imagine that on our coast and, perhaps, any where, ships constructed in some such manner may be as formidable as those of seventy-four guns, and it is certain they will cost us less. The vessel building in Amsterdam is on this plan, which we hope will be in season for service this fall or autumn.

We are, with the utmost respect, etc.,

B. FRANKLIN.
S. DEANE.

A. Lee to the Commissioners at Paris.*

VIENNA, May 27, 1777.

DEAR SIRS: I reached this (place) three days from Munich, and in expectation of hearing from you to-morrow, shall not proceed till the 29th. Dresden will be my next stage.

There is a cold tranquillity here that bodes us no good. It is not possible to quicken this German indifference. From what I learn we need be under no apprehensions from Russia.

I hope you will not forget to sound the two courts whether they will join mine in declaring us independent, but I am afraid that will not be obtained, unless they are in our favor.

I am, dear sirs, etc.,

ARTHUR LEE.

Harrison et al., Committee of Foreign Affairs, to the Commissioners at Paris.[†]

PHILADELPHIA, May 30, 1777.

GENTLEMEN: We have delayed sending this packet, from a daily expectation of hearing from you, as some letters from France make mention of a quick sailing-vessel, by which we were to receive dispatches. Though it must be agreeable to you to hear frequently from us, yet as our letters, by being taken, might be of worse consequence than being delayed, we are desirous of waiting for the safest opportunity, and when you hear not so often as you wish, remember our silence means our safety. Acquainted as we are with the situation and condition of the enemy, we well know that the pompous paragraphs in

* MSS. Dep. of State: 1 Sparks' Dip. Rev. Corr., 423, with verbal changes.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 219, with verbal changes.

the London papers are not the news which the ministry *hear from* their army; but the news they make for them.

The *Amphitrite* has arrived in Portsmouth, New Hampshire; and the *Seine* at Martinique, but she is made a prize of in her passage from thence. We request you to expedite the loan of two millions (which we have already sent you a commission for, and now send you a duplicate of the same); for though we conceive the credit of America to be as well founded at least as any in the world, having neither debt nor taxes on her back when she began the war, yet she represents a man who, with a large capital all in property, is unable to make any new purchases till he can either convert some of it into specie, or borrow from hand to mouth, in the mean time. Britain is now fighting us, and the greatest part of Europe negatively, by endeavoring to stop that trade from us to France, Spain, etc., which she has most effectually lost to herself, and we wish those courts saw their interest in the same clear point of view in which it appears to us. We have little or no doubt of being able to reduce the enemy by land, and we likewise believe that the united powers of France, Spain, and America would be able to expel the British fleet from the western seas, by which the communication for trade would be opened, the number of interests reduced which have hitherto distracted the West Indies, and consequently the peace of all this side of the globe put on a better foundation than it has hitherto been—a mutual advantage, as we conceive, to France, Spain, and these States.

That Britain was formidable last war in the West Indies is true; but when it is considered that her power there arose from her possessions here, or that she was formidable chiefly through us, it is impossible to suppose that she can again arrive at the same pitch of power. Here she was assisted by numberless privateers. Here she supplied and partly manned her fleet; recruited, and almost raised, her army for that service; in short, America, last war, represented Britain removed to this side the Atlantic. The scene is changed, and America now is that to France and Spain, in point of advantages, which she was the last war to Britain. Therefore, putting the convenience which we might receive out of the question, by their making an attack on the West Indies, we are somewhat surprised that such politic courts as France and Spain should hesitate on a measure so alluring and practicable. We do not mention these remarks because we suppose they do not occur to you, but to let you know our thoughts on the matter, and to give you every advantage, by conveying our minds to you, as well as our instructions or informations.

This packet takes complete sets of our public papers, filed in order, for seventeen weeks past.

B. HARRISON.

R. MORRIS.

T. HAYWARD.

JAMES LOVELL.

Franklin and Deane to Jay.*

DUNKIRK,[†] June 2, 1777.

DEAR SIR: We refer the committee to ours to you of the 26th ultimo, of which we sent duplicates, should either arrive, but apprehensive of the contrary, we send you the substance in this. The British commerce in Europe, especially in the north, is unguarded, the Greenland whale fishery and the Hudson Bay ships in particular. Could two or three of our frigates, accompanied by lesser swift sailing cruisers, get into those seas in the months of August or September, a valuable part of the commerce of our enemies might be interrupted.

As tobacco, rice, etc., are in great demand in France, and remittances wanted, we submit to the Congress the sending out some of their frigates loaded with these articles for Nantes or Bordeaux, and whilst their cargoes were disposed of, they might refresh themselves, and make a cruise against the enemy. The coast of England to the west is unguarded, either by land or sea. The frigates, capable of landing five hundred men, might destroy several of their towns, which would alarm and shake the nation to the center, whilst the ships might fly and take refuge in the ports of France or Spain; but, suppose the worst, that they are intercepted in their retreat, the inevitable consequences of so bold an attempt will be sufficiently injurious to justify the measure. But this must be done by a *coup de main*, and there can be no great apprehension of any difficulty in retreating, since, by means of the daily intercourse between the two kingdoms, we might know the exact situations of the British fleet and commerce in the different ports, and never attempt until we had a fixed object in view, and were masters of every circumstance.

The ship, building at Amsterdam, will be near as strong as a seventy-four, and may join the squadron in the months of February or March. The East India [fleet] will be returning to St. Helens, and there waiting for a convoy, which is a single man of war. Three frigates on that station might effect a prodigious affair, and if they first came to Europe, as in the [course] of trade, it would be much less suspected, as they might set out from a harbor here, and not be supposed for any other route but that of going directly for America. We have no more to add, than that four thousand Hanoverians are on their march for Stade to embark for America.

We are, etc.,

B. FRANKLIN.
SILAS DEANE.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 221, with verbal changes.

† This letter is perhaps erroneously dated at Dunkirk. It is thus copied into the letter-books, but should probably be *Passy* or *Paris*.—SPARKS.

A. Lee to Schulenburg.*

BERLIN, June 5, 1777.

SIR: In consequence of the letter which I had the honor, in conjunction with the other deputies of Congress in Paris, of writing to your excellency on the 19th of April, I arrived here last night.

I take the earliest opportunity to inform you of my arrival, and to request your excellency to have the goodness to inform me when I may have the honor of an interview with you on the subject of this letter.

I have the honor to be, etc.,

ARTHUR LEE.

A. Lee to Schulenburg.*

BERLIN, June 7, 1777.

SIR: I have the honor of sending to your excellency lists of the commodities on both sides, which will be the most suitable for the commerce which is projected. As to the exact price of the different articles, I can not speak. But as European commodities are very dear in America, and our own are cheap, while at the same time they bear a high price in Europe, commerce on this footing can not but be advantageous to Europeans. A musket, for example, which costs here twenty-two French livres, can be sold in America for at least fifty. With these fifty livres two hundred weight of tobacco can be bought, which in Europe will bring two hundred livres.

It seems to me that the mode of carrying on this trade with the greatest security, will be to fit out vessels for the Island of St. Eustatia. Then a skillful captain can set sail directly for America, and having a calculation of his voyage made for the express purpose of showing that he was driven from his course by the violence of the winds, if he should meet any vessel of war on the American coast, he can offer his excuse, and, under the pretense of being in want of water, enter the nearest port. Thus, in going, the risk will not be great; and in returning, it can always be known when the coast is clear, and with a good wind at first, a vessel is soon out of danger.

It will be expedient for this trade that the vessels engaged in it should be the best sailers possible, since much will depend on that. At Emden or at Hamburg it can not be difficult to find captains or sailors who can speak English.

At first it will be better to send the vessels to the Continental commercial agent, since there is one in each of the principal ports. The principal ports are Newburyport, Salem, and Boston, in Massachusetts, New London, in Connecticut; Baltimore, in Maryland; York, Hampton, and Alexandria, in Virginia; Charleston, in South Carolina; and Savannah, in Georgia. These are the principal ports, as you go along

* 1 Sparks' Dip. Rev. Corr., 424.

the coast from north to south. In order to arrive at the ports of Virginia and Maryland, it is necessary to enter Chesapeake Bay, into which all the rivers of the two States empty. I shall write to our agents directing them to give all possible facilities to your commerce in these ports. I have omitted the ports of Rhode Island and Philadelphia, because they are direct objects of the war, and they may be in the possession of the enemy. It will therefore be better to avoid them, in the present state of affairs.

I hope your excellency will do me the justice to believe that if I had known His Majesty's pleasure before my departure, I should have acted in conformity to it. And if my residence here as a traveler should give the least uneasiness to your court, I rely upon your excellency's informing me of it; since nothing could be more disagreeable to me than to cause the slightest uneasiness where I owe the highest respect.

I have the honor to be, etc.,

ARTHUR LEE.

Deane to Dumas.*

PARIS, June 7, 1777.

SIR: I understand that the British minister's emissaries are very busy in Holland propagating reports of an accommodation between the Congress and Great Britain. They are playing the same game here. I have long since been convinced that there is no action too atrocious for them to attempt, nor any report too ridiculous and improbable for them to propagate to serve their purposes. The last authentic intelligence from Congress, or from New York, was about the 10th of April, when there was not the least prospect of any accommodation. The sole overture that had been made was a hint, I may say, from General Lee, that Lord and General Howe wished to renew a conference with the Congress, and to open a treaty, to which the Congress replied they would neither confer nor treat till their independence should be acknowledged. You will therefore see at once how very little ground there is for such kind of assertions.

I have seen such strange and unexpected events, as well as been witness to such extraordinary conduct, that I am almost beyond being surprised at anything; yet should an accommodation take place between those contending nations whilst the Congress have the least prospect of foreign succor and support, I confess I shall be greatly surprised. But if the British ministry, as they roundly assert, are assured that no power in Europe will countenance the United States in their independence, and if they can bring the Congress to believe the same, who will be surprised if they make terms, and accommodate, rather than hazard longer a contest with the most formidable power in Europe and its allies, without prospect on their part of aid or support? I say, who will be

* 5 Sparks' Dip. Rev. Corr., 233.

surprised, or rather, who will not be surprised, should they still persist in continuing the war unsupported? However, I, who know my countrymen perfectly, and the principles by which they are actuated, do not believe they will ever accommodate on terms lower than independence; yet in the same situation, and with the same offers made them, I am certain any other people in the world would accommodate.

You are not to impute what I say to vanity. I am not raising my countrymen above every other nation in the world; far from it; but they are a new people, and have certain notions that are either new in the world, or have been so long unpracticed upon and unheard of, except in the speculations of philosophers, that it is difficult, perhaps impossible, to compare them with any other nation. Unprejudiced reason, and plain common sense, will enable the few to judge; but the many, the ninety-nine of one hundred at least, will determine as usual by the event. I am not fond of bold assertions or predictions, but I dare hazard my credit upon it, that either no accommodation on any terms will take place, or, if it does, a war in Europe will be the immediate consequence; and I submit it to the consideration of those ministers and politicians who are afraid to offend Great Britain now, whilst America alone employs more than her whole natural force, how they will be able to contend with her when at peace and on good terms, perhaps in alliance with, America?

Universal monarchy has at many periods been feared from the House of Bourbon, and England has been exhausted to prevent it; she has engaged allies pretendedly to keep the balance of power in Europe, as it is ridiculously and unintelligibly termed by European politicians; but you will permit an American to give his sentiments; they may at least divert and make you smile. From the period when the feudal system prevailed over all Europe, when every lord was sovereign, to this hour, the number of kingdoms or distinct powers in Europe has been decreasing, and if we look three centuries back, and reckon up the distinct powers then existing and compare them with those of the present, and extend our view forward, the whole must, at some not very distant period, be brought into one; for not an age passes, and scarce a single war, without annihilating or swallowing up several of them. But from what quarter is this universal empire in Europe to originate? I answer negatively; not from the house of Bourbon, though formidable for its connections and alliances in the south; but I will venture to predict that if Great Britain, by forming an accommodation of friendship and alliance with the United States, renders herself, as by that measure she easily can, mistress of that world, by taking the affairs of the East Indies into her own hands, she will be in possession of exhaustless treasure, and in 1780 the charter of the East India Company expires, when both the territory and commerce will be at her disposal. Add to all this her strict and close alliance with Russia. I say that, laying these circumstances together, it is easy to foresee that Great

Britain, America, and Russia united will command not barely Europe, but the whole world united.

Russia, like America, is a new state, and rises with the most astonishing rapidity. Its demand for British manufactures and its supplies of raw materials increase nearly as fast as the American; and when both come to center in Great Britain, the riches, as well as power, of that kingdom will be unparalleled in the annals of Europe, or perhaps of the world. Like a Colossus, with one foot on Russia and the East and the other on America, it will bestride, as Shakespeare says, your poor European world, and the powers which now strut and look big *will creep about between its legs to find dishonorable graves.*

I dare say you smile at my prophecy, but you will observe it is a conditional one, and I am persuaded, like most other prophecies, will neither be believed nor understood until verified by the event, which, at the same time, I am laboring, like my good predecessors of old (who prophesied grievous things), to prevent taking place if possible; for it is my ultimate and early wish that America may forever be as unconnected with the politics or interests of Europe as it is by nature situated distant from it, and that the friendly ties arising from a free, friendly, and independent commerce may be the only ties between us.

Adieu,

SILAS DEANE.

Schulenburg to A. Lee.

[Translation.] *

BERLIN, June 9, 1777.

SIR: I have received the letter which you did me the honor of writing to me yesterday, and I imagine, from its conclusion, that on account of the difference of language, you did not, perhaps, take, in the true sense, some of the expressions which I used in our conversation.

I lose no time, therefore, to assure you, sir, as I did in the letter which I addressed to you at Paris, that your residence at Berlin will not be at all disagreeable to the King, provided you live here as an individual and without assuming a public character.

As to the information you gave me with respect to commerce, you will be pleased, sir, to add a memorandum of the places where insurance can be effected on vessels destined for America, and the premiums of insurance to be paid. I will then examine your propositions and will soon be able to inform you whether we conceive it possible to make an experiment of the kind with success.

I have the honor of being, etc.,

BARON DE SCHULENBERG.

* 1 Sparks' Dip. Rev., Corr., 425.

A. Lee to Schulenburg.*

BERLIN, June 10, 1777.

SIR: By the accounts received a little before I left Paris, the premium on insurance to America at Cadiz was twelve and a half per cent. At Bordeaux it was forty per cent. to and from America. A scheme was then forming for the establishment of very considerable and responsible companies of insurance at Rouen and Nantes. But I am apprehensive there will be some difficulty about insuring any but French property.

I should therefore conceive your excellency would do best to have it tried at Amsterdam, where one would imagine that forty per cent., which is infinitely beyond the risk, would be an irresistible temptation.

If the insurance to America were made here, the Congress might insure back. There is, however, an obvious objection to this, arising from their want of funds in Europe to answer the loss. This objection would not now have existed had not our commerce with Europe been so much discouraged by an almost universal concurrence of its powers in prohibiting our being supplied with arms and ammunition, things essentially and immediately necessary to our defense and existence. The European ports being also shut against our vessels of war, it is impracticable to contrive convoys for our trade, and it is thus exposed to the enemy.

These and the thousand other delays and difficulties to which the present cautious system of Europe subjects us give every possible opportunity to Great Britain to recover that commerce which her unwise and unjust conduct has obliged us to withdraw from her and offer to the rest of Europe. An open acceptance of that offer would have settled the question at once. I may not presume to doubt the wisdom of that policy which prefers the chance of gleaning our fields after they have been spoiled and laid waste by a mercenary and enraged army to the certainty of reaping the full harvest of an unravaged country. Undoubtedly there are better reasons for it than I can devise. This is, however, most clear, that if the commerce of America were a thing not valuable, or rather noxious to the European powers, they could not give Great Britain a fairer opportunity of cutting it off from them forever, by retrieving the monopoly, or of greatly diminishing its sources by destroying our cities and laying waste our country with mercenary arms. We are left, like Hercules in his cradle, to strangle the serpent that annoys all Europe.

I beg your excellency will accept my thanks for the satisfactory explanation you were so good as to give me yesterday of what I confess was not clear to me before.

Permit me to suggest that as it is probable your captains will not be able to provide themselves with marine charts of the American coast

* 1 Sparks' Dip. Rev. Corr., 426.

it would be proper to order some of the best of them from London. If in any thing your excellency should think I can be further useful you will do me the honor to command me.

I have the honor to be, etc.,

ARTHUR LEE.

A. Lee to Committee of Foreign Affairs.*

BERLIN, June 11, 1777.

GENTLEMEN: In pursuance of the plan which I had the honor of mentioning in former letters, I arrived here the 4th of this month. Mr. Sayre accompanies me in the place of Mr. Carmichael, who, after promising, refused to go.†

The king being absent in the review of his troops, I have only had some conversation with his minister relative to their beginning a commerce with you in their own bottoms. This I have reason to think will take effect; but there seems to be a system of great caution here, which will cramp whatever they attempt.

I have good reasons for assuring you that Russia will send no troops against us. The consequence of the Prince of Hesse's conduct is beginning to be a lesson to the other German princes, so that it is not probable they will draw any more supplies from them. The country of Hesse is depopulating so fast, from the apprehension of being forced into this service, that the women are obliged to cultivate the lands. At present, therefore, the foreign resources of Great Britain seem to be exhausted; nor is there any human probability of their re-instating their army, should this campaign materially diminish it, except it be with Catholics from Ireland. I have a plan for rendering that of little effect, which I hope will succeed.

Upon your maintaining your ground this campaign, the question of acknowledging your independence will become very serious next winter among the European powers; but, until the events of this summer are decided, their conduct will remain the same, and no open act of interference is likely to take place. Till that time, too, they would not wish to receive commissioners, as it subjects them to the complaints of the English court.

A transaction has lately happened in England, which, notwithstanding appearances speak otherwise, makes me believe that our enemies expect some further and considerable assistance from Hesse. It is their paying an old rejected claim to the Landgrave of £41,000. I know the British court too well to believe they would do this from any other motive than the expectation of future favors, and to soften the sense of shame and loss which, already his having sustained, would prevent him

* MSS Dep. of State; 1 Sparks' Dip. Rev. Corr., 427, with verbal changes.

† As to Sayre, see introduction, § 192; as to Carmichael, *ibid.*, § 171.

from furnishing them further. But whether the object is merely to quicken him in supplying the stipulated recruits, or to get some of his old regiments, I can not learn. A letter, which I have read, from the agent of that prince at the court of Great Britain to his minister, upon the very subject of this claim, grounds it only on the necessities of England for troops to carry on this war, without mentioning that he had stipulated anything specially on his part in return. You may, however, depend upon my endeavors to get the most speedy and accurate information on this subject, and to raise every obstacle that can come from this and the imperial court.

I expect to have finished what I can do here in ten days, when I shall set out on my return to Paris, whence, the conveyance being safer, I shall write you more particularly.

I have the honor to be, etc.,

ARTHUR LEE.

P. S.—I see by the English papers that a motion by Lord Chatham for an address of the House of Lords to the king, to begin an accommodation by a cessation of hostilities and an offer of a full redress of grievances, supported by Lords Shelburne and Camden, was rejected by 100 to 28. This motion was made on the 30th of last month, and the chief objection on the ministerial part was that it would stop the career of their success that must soon reduce you.

Harrison et al., Committee of Foreign Affairs, to the Commissioners at Paris.*

PHILADELPHIA, June 13, 1777.

GENTLEMEN: Though the dispatches prepared some time since are not gone, we think it best to write you again, and give you an exact account of the situation of our army and military affairs to this time. You were formerly made acquainted that, immediately after the important victory at Princeton, on the 3d of January, General Washington took post at Morristown, which appears to have been a well-chosen situation.

From thence, sending out detachments of his army, he speedily drove the enemy from Hackensack, Chatham, Springfield, Westfield, and Elizabethtown, all which places we have possessed ever since that time, as well as Millstone and Princeton to the west, and Cranbury to the south; the enemy being confined to a narrow communication on Rariton River, from Brunswick to Amboy, twelve miles. About ten days ago General Washington moved his headquarters towards the enemy, to a place called Middle Brook, about eight miles from Brunswick. He has now called in most of his outposts, and the enemy has done the same, being chiefly collected about Brunswick, and just upon the eve of some movement, which is generally supposed to be intended against this place.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 222, with verbal changes.

We are taking every measure to disappoint them, and have good hopes, in dependence on divine Providence, as our army has been augmenting daily for these three months past. It is given out that the enemy intend to come up Delaware Bay with their ships, as well as by land, through the Jerseys. It is probable that before the vessel sails we shall have something to add on this subject.

In the northern department, things are yet entirely quiet. We have a pretty strong body at Ticonderoga. Small parties of the enemy were up the lake lately a considerable way, but are gone again, and there is no appearance of any important motion soon. Whether this is owing to their not being ready, or to a change in their plans, and the army in Canada being ordered round to re-enforce General Howe, as some late reports would make us believe, it is impossible to say with certainty.

A third body of our forces is at Peekskill upon Hudson River, to defend the passes towards Albany, and be ready to fall down upon New York, in case the greatest part of the enemy's army should be drawn from that place. The convention of that State has issued an act of indemnity, to encourage those who had been seduced to join the enemy to return, which has had a very happy effect. Upon the whole, our affairs wear as favorable an aspect as at any time since the beginning of the war. And the unanimity of all ranks, in the different States, in support of our independence, is greater than at any preceding period. The arbitrary conduct, and the barbarity and cruelty of the enemy, for the twenty-six days that they possessed a considerable part of New Jersey, have been of service to our cause. See, upon this subject, the report of a committee of Congress, with the proofs in the newspapers, which you may safely assure any person is a just and true, but very imperfect, sample of their proceedings.

BENJAMIN HARRISON.

ROBERT MORRIS.

THOMAS HAYWARD.

JAMES LOVELL.

Carmichael to Dumas.*

PARIS, June 13, 1777.

SIR: We are still without any news from America, except what we get by the way of England. The campaign was not opened the end of April, Howe being scarce of provisions and without forage. I have seen a letter from an English officer in the service, dated the 25th of that month, and have been much pleased with the sight of it; a horrid pleasure, which derives its source from the prospect of human misery. The flux raged much in the army of the Philistines, as the saints of New England style it, owing to their food—salted meat and no vegetables. I believe a certain brig from a place called Rotterdam has

* 5 Sparks' Dip. Rev. Corr., 236.

fallen into the hands of the chosen people, for one of my countrymen crossed the Atlantic in a small vessel of about 20 tons on purpose to take her; at least he informs me that he had carried into Cherbourg a brig laden with about two hundred hogsheads of Geneva, some pitch, oil, etc., from Rotterdam, which said articles will, before this reaches you, be metamorphosed into louis d'ors of France.

I have crossed the Chesapeake in this very ferry-boat in which my bold countryman crossed the Atlantic. I had been told by a man high in office in England that resistance was a chimera in us, since their armed vessels would swarm so much in our rivers as even to intercept the ferry-boats. His assertions are verified *vice versa*; our ferry-boats ruin their commerce. You smile and think me amusing you. Be assured that is not the case. This very little boat took on her passage another brig of 200 tons from Alicant and sent her into America. She also took four or five vessels in the Channel, chiefly smugglers, and plundered them of their cash, and the captain, being a good-natured fellow, let them go, as he did a transport, which he took in sight of a man-of-war, and was obliged to give her up, bringing off, however, with him his people. He has promised for the future to burn those he can not send in, and I believe will be as good as his word. This is the way the English serve not only ours but the French vessels which they take on our coast. The captain tells me he was told this last circumstance by several French captains whom he saw prisoners (himself a prisoner) at New York. The eyes of this court will be opened, it is to be hoped, before it is too late, a war being inevitable, in my opinion, to force an accommodation. They will unite with us on our own terms, and, discerning from the past how little effective assistance we have to hope from France for the future, will make a war with this nation one article of the federal Union. Whichever strikes first will probably succeed. Our valuable commerce is more hurt on the French coast than on our own. We have lost above £60,000 sterling from South Carolina only, all which was coming to be laid out for French manufactures. It is a fact at present that the manufacturers of this country can not execute so fast as they receive orders.

The English papers published by the authority of General Howe at New York tell with triumph that one of their cruisers has sunk a twenty-gun French ship at some distance from the Delaware, and every soul perished. We have some fears that this is the *Amphitrite*. Another ship was taken, French property, a few leagues from the harbor of St. Pierre, which she had just quitted. If they dare to do this in their present critical situation, what will they not dare if successful, or at peace and united with us?

I wrote you before what I repeat again, that had General Howe got possession of Philadelphia last winter as insolent a memorial as that presented by Sir Joseph Yorke would have been presented by Lord Stormont here, and had not their demands been instantly complied

with the immediate destruction of the French commerce would have been the consequence. All the navy, all the army contracts are made for five years in England. Letters of marque were given to contractors and friends of Government; for what? To cruise against our trade? No; but to be ready at a signal given to enrich themselves by the first captures on the French nation; for the gleanings of our commerce are no object to a private adventurer, assured as the English ministry are of the pacific intentions of this court. From the quarter I mentioned to you in my last they will try his patience, and they do right, for the only hope they now have of conquering us is to deprive us of the means of resistance and the hopes of foreign aid, which keeps up the spirits of the people. If the *Amphitrite* is really lost General Washington will open the campaign without any of their military stores, so long promised and so vainly expected, except about twelve thousand muskets.

We expect with impatience direct news from America; the moment it arrives I will communicate it to you. The gentlemen are well and beg me to present compliments.

I am, dear sir, yours, etc.,

WILLIAM CARMICHAEL.

P. S.—You will not mention publicly, for particular reasons, the history of the little privateer. When the captain of our small privateer boarded the transport and told him he was his prisoner, he very insolently asked where his ship was, not conceiving that any person would have crossed the ocean in so small a boat.

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Franklin to Washington.*

PARIS, June 13, 1777.

SIR: The bearer, M. le Comte Kotkouski, a Polish officer, is recommended to me by several persons of worth here as a man of experience in military affairs and of tried bravery. He has lost his family and estate in Poland by fighting there in the cause of liberty, and wishes, by engaging in the same cause, to find a new country and new friends in America. Count Pulaski, who was a general of the confederates in Poland, and who is gone to join you, is esteemed one of the greatest officers in Europe. He can give you the character of this M. Kotkouski, who served under him as lieutenant-colonel.

It is with regret that I give letters of introduction to foreign officers, fearing that you may be troubled with more than you can provide for, or employ to their and your own satisfaction. When particular cases seem to have a claim to such letters, I hope you will excuse my taking the liberty. I give no expectations to those who apply for them; I promise nothing; I acquaint them that their being placed when they

* 2 Sparks' Dip. Rev. Corr., 10; 6 Bigelow's Franklin, 102.

arrive is a great uncertainty, and that the voyage being long, expensive, and hazardous, I counsel them not to undertake it. This honest gentleman's zeal is not to be discouraged by such means; he determines to go and serve as a volunteer if he can not be employed immediately as an officer; but I wish and hope that your excellency may find a better situation for him, and that he will be a useful officer. He has the advantage of understanding English, and will soon speak it intelligibly. He also speaks German and some other European languages, and the Latin.

With the truest esteem and respect, I have the honor to be, etc.,
B. FRANKLIN.

Franklin to Washington.*

PARIS, June 13, 1777.

SIR: The person who will have the honor of delivering this to your excellency, is Monsieur le Baron de Frey, who is well recommended to me as an officer of experience and merit, with a request that I would give him a letter of introduction. I have acquainted him, that you are rather overstocked with officers, and that his obtaining employment in your army is an uncertainty; but his zeal for the American cause is too great for any discouragements I can lay before him, and he goes over at his own expense, to take his chance, which is a mark of attachment that merits our regard. He will show your excellency the commissions and proofs of his military service hitherto, and I beg leave to recommend him to your notice.

With the sincerest esteem and respect,

B. FRANKLIN.

Dumas to Committee of Foreign Affairs.†

JUNE, 14, 1777.

GENTLEMEN: I have escaped, as much as I am able, from my chains, to make journeys to the Hague, Amsterdam, and Rotterdam, in order to maintain and increase useful acquaintances; and when I obtain any light, I communicate it to friends. The great majority, almost the whole of our merchants are for you. The regencies of our cities, and among others, Amsterdam, seem to take part with the court, which is allied with and friendly to England. But all this is precarious, and will change with your fortune. Let us hear of a successful campaign, and your friends will show themselves, your partisans will multiply; they will lose by degrees this panic of terror for a power that is not loved

* 2 Sparks' Dip. Rev. Corr., 11; 6 Bigelow's Franklin, 103.

† 5 Sparks' Dip. Rev. Corr., 238.

by the multitude. These persons are chiefly large annuitants, whose hearts are in the sources of their incomes.

Another important truth which I have learned at Amsterdam is, that no banking-house is willing to take part, to the amount of a shilling, in the loan of five millions sterling which England has raised, because they were not content with the offered premium, and with her solidity, nor sure of selling the stock in detail. Distrust increases here in proportion as England sinks. The premium ought to be two and a half per cent., but we know that in England even the bankers are content with their sales in detail at five-eighths per cent.

I have made acquaintance and connection with a house to whom I shall address in future all my dispatches for you, and under cover to whom you may in safety address to me your letters, viz, Messrs. Laland & Fynge, merchants, Amsterdam. If you will send me regularly, by your vessels going to St. Eustatia and Curaçoa, one at least of your best public papers to the address above pointed out, or in the packets of friends in France, I will make good use of it for your service in our periodical papers. They complain everywhere of knowing nothing of your affairs but what the English wish Europe should know; and on this subject we have often to wait some months before the truth is unfolded from a heap of impostures, which do not fail sometimes to answer the malice of your enemies in leaving false impressions on minds, which I wish to be able to destroy in their birth.

I have the honor to be, etc.,

DUMAS.

A. Lee to the Commissioners at Paris.*

BERLIN, June 15, 1777.

DEAR SIRS: I had the honor of writing to you from Munich and Vienna, from the last of which I arrived here the 4th of this month. The letters you have received from hence will show you how the wind blows here; I have tried all in my power to make it change—hitherto in vain. In ten days I shall set out on my return. There can not be a state of more perfect quiescence than prevails in this place: what is merely commercial is planned; but whether it will be adopted remains to be determined.

I have the honor of being, etc.,

ARTHUR LEE.†

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Cor., 429.

† As to the causes of this quiescence, see introduction, § 90 *ff.*, 144.

A. Lee to Washington.*

BERLIN, June 15, 1777.

DEAR SIR: It has been with uncommon satisfaction that I have seen you in a situation in which I long ago hoped you would be, if we were forced to dispute the great question which, in my own judgment, I was satisfied would happen.† I never forgot your declaration, when I had last the pleasure of being at your house, in 1768, that you were ready to take your musket upon your shoulder whenever your country called upon you. I heard that declaration with great satisfaction; I recollect it with the same, and have seen it verified to your immortal honor, and the eminent advantage of the illustrious cause in which we are contending.

I have the pleasure of assuring you that your conduct against General Howe has been highly approved by the principal military men here and in France.‡ That approbation has been increased in those to whom I have had an opportunity of stating the great inferiority of the troops you commanded to those of the enemy in number and in every necessary provision for war.

The Prussian army, which amounts to 228,000 horse and foot, are disciplined by force of hourly exercise and caning, to move with a rapidity and order so as certainly to exceed any troops in Europe. When the king reviews an army of 40,000 men, not a man or horse, though the former in full march and the latter in full gallop, is discernibly out of the line. The regiments here are in the field every day, where, besides the general exercise, every man is filed off singly, and passes in review before different officers, who beat his limbs into the position they think proper, so that the man appears to be purely a machine in the hand of a workman.

The improvements of utility which I have been able to note are these: the ramrod is thicker all the way than ours, and enlarged at each end, as ours are at one; the advantage of this is, that, to ram down the charge they do not turn the rod, but, raising it to the muzzle, plunge the lower end into the barrel, and then, raising it up, return it straight, without the necessity of turning it as formerly. This saves two very awkward motions for turning the rammer, and a great deal of time. The mouth of the loops that receive the rammer is very large, so that there is much more readiness in hitting them than formerly, which also expedites the important business of charging the musket. To compensate the increase of weight, the musket is shortened two inches in the barrel. When they present, instead of leveling their firelocks, they are taught to slant them down, so that a point-blank shot from them, so depressed, would strike the ground at about ten yards' distance. And this depression is found necessary to counteract the elevation

* 1 Sparks' Dip. Rev. Corr., 429. † See, however, introduction, §§ 11, 141.

‡ Cf. introduction, § 12.

which the act of firing gives inevitably to the musket. And even when a ball does strike the ground, it generally rises, and may do execution ; but, if directed too high, it is lost irretrievably.

These are alterations which seem to me of great utility ; and I wish they may appear so to you.

It is my intention, when I have leisure, to write the history of this civil contention. The share you have had in it will form an interesting and important part. It will be in your power to preserve a variety of most material papers and anecdotes for such a work. May I venture to hope that you will think me so far worthy of your confidence, and fit for such a work, as to preserve them for me ? Dubious parts of history can be cleared by such documents only.

The resources of our enemy are almost annihilated in Germany, and their last resort is to the Roman Catholics of Ireland. They have already experienced their unwillingness to go, every man of a regiment raised there last year having obliged them to ship him off tied and bound ; and most certainly they will desert more than any other troops whatsoever. They themselves rely upon the present campaign, so that if it should not produce something very decisive in their favor, which God forbid, we may depend upon their efforts being in the wane.

With the most ardent wishes for your success, safety, and happiness,
I am, etc.,

ARTHUR LEE.

Schulenburg to A. Lee.

[Translation.]*

BERLIN, June 18, 1777.

SIR : After having duly examined the propositions which you have been so kind as to address to me, respecting the establishment of a direct commerce between his majesty's states and the English colonies of America, I am of opinion with you, sir, that it is very probable that even with paying the highest premium of insurance, the scarcity and dearness of our merchandise in America, added to abundance and low price of your productions, which can be advantageously sold in Europe, would render this commerce very profitable to the two nations. Nothing remains, therefore, but to make the essay ; but a difficulty almost insurmountable presents itself, which is, that never having gone as far as your country, we want vessels as well as captains, pilots, and sailors, who could or would go to such distant seas. Besides, the vessels we have are necessary for the interior commerce between his majesty's different provinces, and for that which we carry on with France, England, and Spain. We can only therefore try and see if there are any proprietors of vessels in Holland or Hamburg that, in consideration of

a suitable freight, will load with and carry our merchandise; and in the second place, if insurance can be effected.

We will endeavor to obtain information on these two points, and if it is possible to succeed by these means, after having removed some other difficulties of less consequence, we may be able to derive some benefit from the information which you have been so kind as to furnish me.

I have the honor to be, etc.,

BARON DE SCHULENBURG.

Harrison et al., Committee of Foreign Affairs to the Commissioners at Paris.*

PHILADELPHIA, June 18, 1777.

GENTLEMEN: In this we send you an account of the most material matters which have happened in the military department.

The enemy, about ten weeks ago, sent a large party and destroyed some Continental stores at Peekskill, the value not great, and retreated immediately after. They afterwards made an attempt to surprise Major-General Lincoln at Bound Brook, which he vigilantly escaped, with the loss of about sixty men. Mr. Tryon, who is made a major-general, was sent with about twenty-two hundred men to destroy the stores at Danbury, in Connecticut. Notice was received time enough to remove the most valuable part, while Generals Arnold and Wooster raised the militia, and attacked the enemy on their retreat with good success. The New York paper, which may be considered as General Howe's gazette, makes their loss in killed and wounded one hundred and four. We may give them credit for twice the number. The loss we sustained in stores was chiefly in salt provisions and rum, and we had the satisfaction of learning that the cargoes of the prizes brought in the same week amounted to double the quantity lost. General Wooster, who behaved gallantly, was mortally wounded, and is since dead.

Scarce a week has passed without skirmishing, in which we have been very fortunate. General Washington has removed from Morristown to some advantageous ground near Bound Brook and Middle Brook, within eight miles of Brunswick, and the following is a regular state of the intelligence received here since the 11th instant.

June 11.—At a meeting in the State-house yard, General Mifflin, despatched for that purpose from General Washington, informed the inhabitants that, from the late preparations of the enemy, he had reason to believe their design was, by a forced march, to endeavor to possess themselves of Philadelphia; it was then proposed, and unanimously assented to, to turn out agreeably to the militia law.

12. A letter from General Sullivan, at Princeton, received about 9

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 223, with verbal changes.

this evening, informed that the enemy, at Brunswick, had begun to move the preceding night, but was prevented by the heavy rain.

13. The alarm gun in this city fired at 3 this morning, answering the alarm guns up the river. Several letters, by express from Bristol, mention the hearing alarm guns towards Trenton and Princeton, but that no express has arrived there from General Sullivan, at Princeton.

14. An express from General Arnold, at Trenton, informed that the enemy had moved on the 13th, in the night, from Brunswick; that General Sullivan had likewise moved from Princeton to some part of Rocky Hill, with an intention to harass the march of the enemy, and thereby favor the approach of General Washington on their rear and that of the troops from Philadelphia.

15. An express from General Arnold, dated 4 o'clock, received here at half past 5 this morning, says that he had waited six hours, hoping to hear from General Sullivan, but had not; that he should immediately set off for Coryel's Ferry; that the reports of the country were that the enemy were marching rapidly towards that place, and that General Sullivan was about two miles ahead of them, on the same road.

Coryel's Ferry is the place where our boats were stationed, sufficient to transport three thousand men at a time.

Another letter from General Arnold, dated Coryel's Ferry, 14th, 9 o'clock p. m., received here at 9 this morning, says, that General Sullivan arrived at that place about 4 o'clock, and had with him one thousand six hundred Continental troops and about the same number of Jersey militia, making up the number already there about four thousand; that the Jersey militia were turning out very spiritedly, and that he expected to be five thousand strong by the next day, when he should march towards the enemy, who had encamped at Somerset Court House, eight miles from Brunswick; that General Washington continued at his quarters near Middle Brook, eight miles in the rear of the enemy, who were about seven thousand.

16. The above makes up the chain of intelligence to General Arnold's fourth letter, which was received here this morning, and is printed in the papers of the 17th and 18th instant, to which we refer you.

From various quarters lately we have reports, but none sufficient to depend on, that the enemy will receive no re-enforcement from Europe, and likewise that a war with France is inevitable.

General Burgoyne is said to be arrived at Quebec with troops.

We have seen a memorial, presented to the States-General by Sir Joseph Yorke, and two answers thereto; the one, "that they had no account to render to him of their conduct;" the other, that "there are no gates to The Hague."

We are, gentlemen, yours, etc.,

B. HARRISON.
R. MORRIS.
T. HAYWARD.
J. LOVELL.

A. Lee to Schulenburg.*

BERLIN, June 20, 1777.

SIR: I had the honor of receiving your excellency's letter of the 18th this day. Upon trial, I hope the difficulties will not be found so great as your excellency seems to imagine.

When I had the honor of conversing with your excellency, I mentioned that the admission of our cruisers into his majesty's ports to supply themselves with necessaries, careen, and sell their prizes in a secret manner, would be attended with great advantages. It is the only method of establishing a commerce at present from America hither in the commodities and vessels of the States; for the privateers take in a light cargo from America, which they bring to the ports where they are permitted. This they exchange for necessary supplies, and then make a cruise, by the profits of which they are enabled to purchase a cargo of such manufactures as are wanted in America, with which they return.

If I had his majesty's permission to signify that our cruisers would be received in his ports upon this footing, as they are in the south, I can have no doubt but that this species of commerce would soon take place; and most assuredly the advantages of it to those ports, and consequently to his majesty's kingdom, would be very considerable. Without such permission our cruisers will be obliged to send the prizes they make in the northern seas to the south or directly to America, and will have no means of commerce or communication with his majesty's dominions.

In about two days I purpose quitting Berlin on my return, before which I hope to hear from your excellency on this important subject.

I have the honor to be, etc.,

ARTHUR LEE.

Carmichael to Bingham.†

PARIS, June 25 until July 6, 1777.

SIR: A letter from a person unknown to you but by name had need of a long introduction to apologize for the address, but not being a man of ceremony myself, and besides having but little time for formality, I content myself with saying that, engaged in the same cause with yourself, I have assisted Mr. Deane since his arrival in Europe, and know intimately well our affairs abroad, their situation here, and in such courts where it has been thought necessary to address ourselves for countenance and assistance. I have of course been no stranger to your correspondence, and have been sorry to find so punctual a correspondent

* 1 Sparks' Dip. Rev. Corr., 432.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 11, with verbal changes and omissions.

should have any reason to complain of the want of punctuality in others. This is not owing to want of inclination in Mr. Deane, but to the multiplicity of business which occupies his whole time; for Mr. Lee is absent, being at Berlin, [Mr. Lee writes me he is on his return from that place, having finished his business successfully],* where I first broke the ice last autumn,† and the age of Dr. Franklin in some measure hinders him from taking so active a part in the drudgery of business as his great zeal and abilities would otherwise enable him to execute. He is the master to whom we children in polities all look up for counsel, and whose name is everywhere a passport to be well received. As I trouble you, therefore, with forwarding some letters to my friends, I wish to pay the postage by any European intelligence in my power to communicate.

I have another motive to incite me, which is, that I think your situation of singular consequence to bring on a war so necessary to assure our independence, and which the weak system of this court seems studiously to avoid. Either from this weakness, or a jealousy that by a precipitate interference our independence would be too soon and too formidably established, the court shuns everything in Europe which might appear a glaring violation of their treaties with England. This line of conduct has delayed the stores so long promised, and at last sends to Martinique what ought to have been on the continent in February at furthest. This occasioned the loss of the *Seine*, which was dispatched half laden, that such necessary articles as tents and fusils might get early to America, the captain having positive orders to proceed thither without touching at the islands; and I myself protested to the ship's owners that Mr. Deane would have no concern in the risk if on any account but stress of weather the vessel proceeded to the West Indies. As such is their miserable policy, it is our business to force on a war in spite of their inclinations to the contrary, for which purpose I see nothing so likely as fitting out privateers from the ports and islands of France. Here we are too near the sun, and the business is dangerous; with you it may be done more easily, and indeed has already been attended with happy effects, as you will see by the inclosed copy of a letter from the chamber of commerce at Liverpool to that of Bristol. The natural antipathy of the nations is such that their passions being once fully excited, they will proceed to such atrocious acts of reprisal and mutual violence as will occasion clamors and altercations, which no soft words can palliate. As I pretend to know something of the counsels of both nations, I know there are strong advocates for war in both. The more reasons they have to produce in favor of their system, the sooner it will be adopted.

In England, when General Howe's successes in the Jerseys and the prospect of getting possession of Philadelphia made the ministry hope

* Passage in brackets omitted in Sparks' edition.

† Mr. Carmichael's letters from Berlin, if he ever wrote any, are missing.—SPARKS.

for a speedy termination of their dispute with us, I know war with France was nearly determined on. The insolence of apparent success dictated that memorial which Sir Joseph Yorke presented to their high mightinesses, and which you have undoubtedly seen. One of a still more insolent nature was prepared and even sent to Lord Stormont here, and a refusal or even delay of compliance with the requisitions therein made was to have been the harbinger of war and the immediate destruction of the French commerce and islands. Happily for our enemies, the news of our success at Trenton prevented the delivery.

In France the nation and some of the ministers wish to act vigorously, but are retarded in all their operations by the imbecility of age or the more powerful operation of English gold. As the English ministry seemed convinced of the pacific, or rather undecided, state of the rulers here, they hasten, by the most vigorous exertions against us, to end the war, and are less reserved in the treatment of the French prisoners abroad. [Well-attested accounts of this treatment would do us service in Europe, and if you should have it in your power to procure them, I will have them inserted in the Dutch, German, and French papers, and hand it to the respective ministers.]* Could they be provoked to unequivocal proofs of violence, [and breach of treaty]* it would be a great point gained. This your situation may bring about by encouraging the arming of vessels manned with Frenchmen, and by prompting the captains to provoke unjustifiable reprisals on the part of the inhabitants of the English islands.

To you, filled with liberal ideas and a high sense of the interest of the French nation to give us powerful support, these hints may appear extraordinary; but from experience I can assure you that public councils, at least in Europe, are directed more by caprice, or the interest of *individuals*, than a generous concern for the whole. At a distance, we think more of the wisdom of statesmen than they merit. [The same principle that occasioned a *sanctum sanctorum* in religion, throws an air of mystery on polities.] The nearer we approach both, the less is our reverence. If our enemies are not successful, they mean to close with us on the best terms they can, sensible that if this great effort does not succeed, they have little to hope in future. This is an animating reason for us to persevere in the glorious contest. In the mean time, it is our business to keep up the spirits of our common people to the utmost; for which reason what I write you is in confidence, or for the inspection of the committee only, if it may be thought to merit their notice.

The English have completed their loan among themselves. No foreigners have assisted them, although the terms to the lender are better than any ever yet offered by that nation except once. Foreigners know that they have yet several millions to fund for which they must offer still better terms. The Spaniards have refused the mediation of France

* Passages in brackets omitted in Sparks' edition.

and England in their dispute with Portugal, being determined to prosecute the war until Portugal demands peace and makes reparation. They have taken the important Island of St. Catharine's, on the coast of Brazil, without loss, and mean vigorously to prosecute their operations on Brazil. This I have from undoubted authority, one of the family ministers. A report prevails that the Indians of the east have fallen on their oppressors, and have taken Madras. India stock has, consequently, fallen. Both France and Spain continue their armaments as if preparing for some great event. This obliges England to do the same. Of course all their naval and army contracts are for five years, and they employ as many workmen in their dock-yards as they did in the height of the last war. [From these circumstances you may judge, however different their declarations may be in Parliament, they have real apprehensions in this court and that of Spain.] You will serve us essentially by pushing the cruisers who visit you into the European seas, particularly those of the north, in the months of August, September, and October, directing them to send their prizes into France or Spain. It would render our negotiation with Prussia more successful if a tobacco ship could by any means be pushed into Embden, which ship might make her returns in manufactures necessary for us, and fifteen or twenty per cent. cheaper than we can have them here. Urge it to the honorable the secret committee.

I am, etc.,

WILLIAM CARMICHAEL.

P. S.—Two vessels with stores are just dispatched from different ports. Forward them, my dear sir, immediately to our dear country.

July 6, DUNKERQUE: Captains Wickes, Johnson, and Nicholson have just destroyed sixteen vessels on the English and Irish coast. I am dispatching Conyngham from hence in a privateer on the same business. I begin to think war unavoidable.

W. C.

Harrison et al., Committee of Foreign Affairs, to the Commissioners at Paris.*

PHILADELPHIA, June 26, 1777.

GENTLEMEN: Since our last, of the 8th instant, in which you were informed of the enemy being encamped at Somerset Court House, eight miles from Brunswick, we have the pleasure of acquainting you that, on the 19th, at night, they made a precipitate [retreat] therefrom to the last-mentioned place, and on the 22d decamped again, and wholly evacuated Brunswick and retreated to Amboy. For particulars, we refer you to General Washington's letters to Congress, printed in the newspapers of the 25th instant.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 226, with verbal changes.

We are unable to account for those movements of General Howe on any other grounds than the following, viz: That his march from Brunswick to Somerset afforded him an opportunity of trying the disposition of the States of New Jersey and Pennsylvania, and finding that the militia of both States were turning vigorously out to support our army, he might reasonably conclude from thence that his situation in the Jerseys was too dangerous to be continued, and therefore decamped to Amboy, from whence he might, by his bridge of boats, intended for the Delaware, throw himself into a safe retreat on Staten Island. We give you circumstances as they are, with such natural inferences therefrom as our situation and knowledge of things enable us to draw.

The memorial presented by Sir Joseph Yorke to the States-General, mentioned in ours of June 18, you will find in the newspapers of the 11th instant. The said memorial does not come sufficiently authenticated to us to give you any particular instructions respecting your conduct thereon; but as the progress of friendship depends much on the improvement of accidents and little circumstances, we doubt not you will be attentive to the conduct of the States-General at all times, and let us know whenever it appears to you that a commissioner from Congress would be favorably received there.

B. HARRISON.
R. MORRIS.
T. HAYWARD.
J. LOVELL.

Schulenburg to A. Lee.

[Translation.]*

BERLIN, June 26, 1777.

SIR: After having testified to you, in my letter of the 18th instant, the inclination we have to establish a direct commerce with the Colonies of North America, provided we can succeed in surmounting the difficulties which are in the way, it only remains for me to answer you respecting the free admission of your privateers into our ports, of which you wrote me in your letter of the 20th. I can assure you, sir, that the king is very much disposed to please your constituents; but, on the other hand, his majesty in the present circumstances, as you well know, cannot embroil himself with the court of London.† Moreover, our ports have ever hitherto received only merchant vessels, and no ships of war nor privateers have ever entered there, so that the officers established in our ports would be embarrassed how to conduct themselves on such an occasion, the usages customarily observed in this respect being totally unknown to them.

We must therefore inform ourselves in what manner the courts of

* 1 Sparks' Dip. Rev. Corr., 433.

† See introduction, § 90.

France and Spain act, and of the formalities they observe towards your privateers, and how they grant free admission to the latter, consistent with the connections of friendship which they at the same time support with Great Britain. The result of this information will decide whether and on what conditions the desired permission can be granted, and it will afford me pleasure, sir, to inform you as soon as possible of the measures his majesty shall think proper to adopt.

I have the honor to be, etc.,

BARON DE SCHULENBURG.

A. Lee to the Commissioners in Paris.*

BERLIN, June 28, 1777.

DEAR SIRS: I have not yet received a line from you. It is not easy to divine the reason for so long a silence.

There is for sale here, and deliverable in any port in France, fourteen thousand weight of brass cannon, at six guineas the quintal, and six thousand to be melted down at five guineas and a half. They are six, twelve, and twenty-four pounders. The expense of freight and insurance to Nantes or elsewhere will be added to this price.

Two days ago, while I was at dinner, my bureau was broken open, and some papers stolen out, which were in my *porte-feuille*.† The En-

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 434.

† John Quincy Adams, in his letters on Silesia, (p. 257), speaks thus of an interview he had in 1800 with Elliott, the British envoy, who was charged with prompting the abstraction of the Lee papers:

"After observing that it was now a circumstance that might with full freedom be talked of as a mere historical occurrence, he solemnly declared that the seizure of Mr. Lee's papers was not made by his orders; that it was entirely the act of an officious servant, who thought to do him a service by it; that when the papers were brought to him he did look over them indeed, and found among them only two of any consequence; one the draft of an unfinished treaty with Spain, and the other a letter from Frederick the Second, or one of his ministers, promising that if any great power in Europe would set the example of acknowledging the independence of the United States he would be the first to follow it. I am inclined to believe that this account is true, and I was pleased to see the anxiety with which Mr. E. wished to remove the imputation of having premeditated that act of violence." A manuscript copy of this passage is in volume 77 of the Sparks papers at Harvard Library, and purports to have been given in manuscript by J. Q. Adams to Sparks. But this explanation is at variance with the following statement by Carlyle:

"About four months before this time Elliott had done a feat not in the diplomatic line at all, or by his own choice at all, which had considerably astonished the diplomatic world at Berlin, and was doubtless well in the king's thoughts during this introduction of the Dozen. The American war is waging and blundering along, a delectable Lord George Sackville (*alias* Germaine) managing as war minister, others equally skillful presiding at the parliamentary helm; all becoming worse and worse off as the matter proceeds. The revolted Colonies have their Franklin, their Lees, busy in European courts; 'Help us in our noble struggle, ye European courts; now is your chance on tyrannous England!' To which France at least does appear to be

glish ambassador happened to be in the hotel where I lodge when I discovered the robbery. Upon being informed that I was gone to the governor, and that the suspicion fell upon one of his servants, he went away in great confusion, and in half an hour the *porte-feuille*, with all the papers, were laid down at the door, and the person ran off undiscovered. The examinations that have been taken charge his servant

lending ear. Lee, turned out from Vienna, is at work in Berlin this while past, making what progress is uncertain to some people.

"I know not whether it was by my Lord Suffolk's instigation, or what had put the Britannic cabinet on such an idea—perhaps the stolen letters of Frederick, which show so exact a knowledge of the current of events in America as well as England ('knows every step of it, as if he were there himself, the arch enemy of honest neighbours in a time of distress!'); but it does appear they had got it into their sagacious heads that the bad neighbor at Berlin was, in effect, the arch enemy, probably mainspring, of the whole matter, and that it would be in the highest degree interesting to see clearly what Lee and he had on hand. Order thereupon to Elliott: 'Do it, at any price,' and, finally, as mere price will not answer, 'Do it by any method—steal Lee's dispatch box for us!'

"Perhaps few excellencies living had less appetite for such a job than Elliott; but his orders were peremptory. 'Lee is a rebel, quasi outlaw, and you must!' Elliott thereupon took accurate survey of the matter, and rapidly enough and with perfect skill, though still a novice in Berlin affairs, managed to do it; privily hired, or made his servant hire, the chief house-breaker or pickpocket in the city. 'Lee lodges in such and such a hostelry; bring us his red box for a thirty hours: it shall be well worth your while.' And in brief space the red box arrives accordingly; a score or two of ready writers waiting for it, who copy all day, all night, at the top of their speed, till they have enough; which done, the Lee red box is left on the stairs of the Lee tavern, box locked again and complete; only the Friedrich-Lee secrets completely pumped out of it, and now rushing day and night towards England to illuminate the supreme council board there.

"This astonishing mass of papers is still extant in England:—the outside of them I have seen, by no means the inside, had I wished it;—but am able to say, from other sources, which are open to all the world, that seldom had a supreme council board procured for itself, by improper or proper ways, a discovery of less value! Discovery that Lee has indeed been urgent at Berlin and, has raised in Friedrich the question, 'Have you got to such a condition that I can with safety and advantage make a treaty of commerce with you?' That his minister, Schulenburg, has, by order, been investigating Lee on that head, and has reported, 'No, your majesty, Lee and people are not in such a condition;' that his majesty has replied, 'Well, let him wait till they are,' and that Lee is waiting accordingly. In general, that his majesty is not less concerned in guidance or encouragement of the American war than he is in ditto of the Atlantic tides or of the east wind (though he does keep barometers and meteorological apparatus by him); and that we of the council board are a—what shall I say? Not since the case of poor Dr. Cameron, in 1753, when Friedrich was to have joined the Highlanders with 15,000 chosen Prussians for Jacobite purposes—and the Cham of Tartary to have taken part in the Bangorian controversy—was there a more perfect platitude or a deeper depth of ignorance as to adjacent objects on the part of governing men. For shame, my friends!

"This surprising bit of burglary, so far as I can gather from the Prussian books must have been done Wednesday, June 25, 1777; box (with essence pumped out) restored to staircase night of Thursday; police already busy; Governor Ramin and Justice President Philippi already apprised, and suspicion falling on the English minister, whose servant ('arrest him we can not without a king's warrant, only pro-

with having repeatedly told the servants of the hotel that his master would give two thousand ducats for my papers. The landlord, who charged his servant with it before him, deposes that he said he would send the servant to answer for himself, but the servant never appeared. Prince Colberg, who was also present, deposes that he immediately quitted the room in the greatest confusion. The whole is before the king.

curable at Potsdam') vanishes bodily. Friday, 27, Ramin and Philippi make report. King answers, 'greatly astonished,' a '*garstige sache* (ugly business), which will do the English no honor.' 'Servant fled, say you? Trace it to the bottom; swift!' Excellency Elliot, seeing how matters lay, owned honestly to the official people that it was his servant (servant safe gone, chief pickpocket not mentioned at all.) Sunday evening, 29, king orders thereupon, 'Let the matter drop.' These official pieces, signed by the king, by Hertzberg, Ramin, and others, we do not give. Here is *Friedrich's* own notice of it to his brother Henri:

"*Potsdam, 29th June, 1777.—* * ** There has just occurred a strange thing at Berlin. Three days ago, in absence of Sieur Lee, envoy of the American Colonies, the envoy of England went' (*sent!*) 'to the inn where Lee lodges, and carried off his portfolio. It seems he was in fear, however, and threw it down without opening it on the stairs, ('alas no, your majesty, not till after pumping the essence out). 'All Berlin is talking of it. If one were to act with rigor it would be necessary to forbid this man the court, since he has committed a public theft; but, not to make a noise, I suppress the thing. Shan't fail, however, to write to England about it and indicate that there was another way of dealing with such a matter, for they are impertinent' (say ignorant, blind as moles, your majesty; that is the charitable reading.)

"This was not Excellency Elliot's burglary, as readers see. Among all these excellencies going I know not that there is one with less natural appetite for such a job; but sometimes what can a necessitous excellency do? Elliot is still remembered in Berlin society not for this only, but for emphatic things of a better complexion which he did; a man more justly estimated there than generally here in our time. Here his chief fame rests on a witty anecdote, evidently apocryphal and manufactured in the London clubs: 'Who is this Hyder-Ali?' said the old king to him one day (according to the London clubs). 'Hm,' answered Elliot, with exquisite promptitude, politeness, and solidity of information. 'C'est un vieux voleur qui commence radoter, (an old robber, now falling into his dotage); let his dotard majesty take that!' (6 Carlyle's Fred. the Great, 557). That the papers gave important information to the British Government was asserted by Carmichael in a letter quoted in introduction § 150. With this is to be taken into consideration Frederick's letter to Maltzan, given *infra* under date of June 30, 1777. From these letters, as well as from the facts stated by Carlyle, there can be now little doubt that the "theft" was under Elliot's supervision. It was a "public," not a "private," theft, or otherwise it would have been punishable under the municipal law of Prussia. That Frederick should not have shown his sense of the outrage by requiring Elliot's removal, can only be explained on the ground of his feeling at the time that it was not wise for him to quarrel with Great Britain for the sake of Congress, and that he could afford to swallow the indignity done to himself (see introduction, § 91). Such conduct would not have been condoned by him without strong reason. He had recognized the United States as belligerents by refusing to permit troops hostile to them to traverse his territory. As belligerents they were entitled to send envoys to him, and whatever may have been Arthur Lee's personal short-comings, he was as much entitled to diplomatic privileges as were the envoys from sovereigns whose title was acknowledged. Had the desk of Mason, the Confederate agent in London in 1862, been pillaged by direction of the United States, through their minister, that minister would

The return of the papers (those which he particularly wanted not having been left in the bureau) disappointed him of his object, while the whole odium rests upon him.

[He will do better the next time, and his court will no doubt encourage him. Public ministers have been regarded as spies. Mr. Elliott will give them the additional title of robbers.]*

I shall leave this on Thursday next, and expect to be at Strasburg in twelve days from thence, so that a letter will meet me there by return of post.

I am, with the greatest esteem, etc.,

ARTHUR LEE.

at least have been summarily sent back and an apology required. See comments, introduction, §§ 90, 91.

Wraxall, in his posthumous memoirs, (2d ed., vol. 3, p. 172) thus writes: "There (at Berlin) I found him (Sir Gilbert Elliot) in the autumn of the year 1777. While I was in that capital, the American insurgents, who were then engaged in endeavors to procure the co-operation not only of France, but of other European powers, sent an agent named Sayre to the court of Prussia. Elliot having received information that this man was in possession of the treaty recently signed between America and the ministers of Louis XVI, determined to obtain it at all hazards. Availing himself of Sayre's absence, who had gone by permission for one night to Potsdam, he caused the bureau to be broken open in which the treaty was deposited. It was instantly copied and transmitted by him to Lord North. The servant who had performed the act (which, we must own, was not to be justified by the ordinary rules of diplomatic usage) Elliot immediately mounted on a fine English hunter, and in less than eight hours he reached the territory of Mecklenburg-Strelitz. I have been assured that Lord North received the first authentic proof of the alliance contracted between France and America not from Lord Stormont, then our ambassador at Paris, but through the copy thus obtained from Sayre's bureau."

This statement, on its face, conflicts with that of Arthur Lee in his letter to the commissioners, as above given, of June 28, 1777, in which he says: "Two days ago, while I was at dinner, my bureau was broken open, and some papers stolen out, which were in my *porte-feuille*." It is possible, however, that the theft may have been the night before, and only discovered by Arthur Lee after his dinner, on June 26, 1777. The statement that Lord North in this way received the "first authentic proof of the alliance contracted between France and America" is inaccurate, if the treaties of 1778, executed six months afterwards, are referred to. But the papers in question give indications, no doubt, of friendly relations between the American commissioners and the French court. (As to the attitude of Frederick in this matter, see introduction §§ 90, 91; as to Arthur Lee's course, *ibid.*, § 144; as to Sayre, *ibid.*, §§ 192, 196.) Of Elliot, Paul Jones, in a draft letter to La Fayette of June 15, 1778 (Congressional Library MSS.,) gives the following characteristic notice: "I must tell you that Mr. Elliot (the same who filched Dr. Lee's papers at Berlin) was furious when he found my business at Copenhagen, and that I was received with great distinction at court and in all the best societies in Denmark. Every time I was invited to sup with the king Elliot made an apology; he shut himself up for more than a month and then left town."

*Passage in brackets omitted in Sparks' edition.

A. Lee to the King of Prussia.

[Translation]*

BERLIN, June 29, 1777.

SIRE: The singular wisdom by which your majesty has raised your kingdom to so flourishing a state, the wise measures which have carried the prosperity of your dominions to a truly astonishing degree, do not prevent me from being so bold as to say to your majesty that there are yet means of increasing the number and the wealth of your subjects.

Nothing is more true than that the wealth of kings depends upon the number of their subjects. Ancient and modern history will show, without an exception, that commerce is the mother of population. There is no need of citing proofs of this to the most learned king that ever lived. Such is the fact, and the reason is plain. It is, then, reasonable to say that the king who is desirous of increasing as much as is possible the number of his subjects should establish and encourage commerce in his dominion.

Your majesty's dominions are admirably situated for commerce. Three large rivers, which run through them, must furnish the greatest facilities for it. What then is wanting? Merely an object sufficiently distant to form sailors, and sufficiently extensive to establish and support trade. Such an object is America; and the unexpected events which have made the trade of that country free afford inducements for it. The monopoly of this trade, which, in the opinion of that great and wise man, Mr. Pitt, supported the power of England, no longer exists, and, without a miracle, will never exist again. The nations that shall endeavor to obtain a part of it for themselves by furnishing to a young and grateful people the means of resisting their oppressors will be very successful. But those who wish to await in tranquillity the event of this war ought not to expect to turn trade from the course in which custom and gratitude before that time will have fixed it. The present, therefore, is the proper time for those to begin who wish to enjoy for the future the commerce of America.

But there are obstacles to this trade; for, in the first place, you have no vessels of war to cause your flag to be respected. But, sire, you have the best regiments in the world; and Great Britain, destitute as she is of wise counsels, is not, however, so foolish as to incur the risk of compelling your majesty to join your formidable forces to those of her rival. Besides, such is the present weakness of England, so pressed and exhausted is she by the war with America, that she is obliged to blind herself to still harder things which are carried on immediately before her eyes.

Secondly. It is not practicable to have at the same time an army so numerous as that of your majesty and a respectable fleet, since the latter would require too many men and destroy the country. This reason-

* 1 Sparks' Dip. Rev. Corr., 435.

ing would be sound if population were diminished by commerce. But the contrary is the fact. In place of diminishing, it increases it. Thus the most commercial countries are always the most populous. Population is always proportioned to the means of living. Commerce, by increasing these means, increases the population. Instead, therefore, of increasing the consequences of a numerous army, commerce is their most certain remedy.

Thirdly. Sailors are wanting for the enterprise. It is the enterprise itself that must form sailors. A handful of experienced sailors are enough to encourage others; and the matter once put in a good train will go on successfully by itself. If your majesty's ports were open for the entrance of our armed vessels—if they could there deliver their cargo, refit and sell their prizes secretly, then the instructions and the encouragement which they would give to your sailors, and particularly if some of them were allowed to make a voyage in our vessels, would in a short time form sailors of your own subjects, and would draw a number of them from other countries into your ports by the desire of going on a cruise to America.

But it may be said this would be taking an active part in the affair and deciding for the independence of America.

Not more than it is already decided by the fact, nor more than is authorized by the laws of nations, founded on the just interests and the wants of a state. The fact is that we have the sword in our hand, and that we are making war openly. Are there more convincing proofs of actual independence? We are in the possession of the country; the articles of commerce are the produce of our labors and belong to us. They are ours by right and in fact, and it belongs to us alone to dispose of them. Is it necessary, then, that other nations should wait and suffer the most pressing wants while the English are using their utmost exertions to ruin us and to wrest from us our property in order to sell it to them? Or can they not go there, buy the commodities of which they are in want, and with which the English can no longer furnish them, without violating the character of neutral nations? It is not difficult to say which is most agreeable to reason, and consequently to the rights of nations. Neutral nations, in carrying on this trade, decide as to the fact, and not as to the right. This is the distinction which the laws of England make; since the English are allowed to obey the actual or *de facto* power, although it should not be so by right or *de jure*. Besides, the English acknowledged the Duke of Braganza as King of Portugal, and received his ambassadors in the year 1641 for this reason, that he had been called to the crown by the unanimous consent of the people. Congress is established on the same foundation. The assemblies of the States choose the members of Congress and empower them annually, and these assemblies are chosen by the whole people. Can there be a consent more unanimous or more maturely given? Will your majesty allow me here to adduce some authorities on this subject?

Charles, Duke of Sudermania, having been crowned King of Sweden at the commencement of the seventeenth century, sent James Vandyck into France, and offered to Henry the Great the renewal of the treaties and alliances which had before been made between these two powers. Vandyck showed that the advantages which France would derive from the commerce of Sweden would be so considerable, that the king listened to the proposals of his minister, and was desirous to conclude a treaty with him. There was nothing to prevent him from doing it, except that the action of Charles, who had usurped the crown from Sigismund, his nephew, after the latter had been chosen King of Poland, was the more odious, as the pretext of religion was the cause of the revolution. It was also taken into consideration in France that the King of Denmark, who was no friend to Charles, might form an alliance against him with his brother-in-law, the King of England. But notwithstanding all this, M. de Villeroi, in writing to Jeannin, April 8, 1608, speaks plainly and says: "All these reasons and considerations would not prevent the king from making a treaty with Charles, if he should find it for his interest and that of his kingdom to do so." (Wickfort, p. 26.) The example of Henry the Great is worthy of a prince who has no less claim to this title.

Vattel, in examining the same question says: "Foreign powers conform in this case to the possession, if the advantage of their own affairs incites them to do so. There is no rule more certain, more conformable to the right of the people and to the independence of nations. Since foreigners have no right to concern themselves with the domestic affairs of a people, they are not obliged to examine and to search into their conduct in these same affairs in order to determine the justice or injustice of it; they can, if they think proper, suppose that the right is annexed to the possession."

The advantages which your majesty's dominions would derive from the commerce of America can not but be very great. It would be a new market, and one always increasing with the rapid increase of population in America, for woolen and linen cloths, porcelain, and all sorts of manufactures in iron. The returns would be in tobacco, indigo, linseed, cotton, and peltry.

It is true that these advantages will be very much diminished by the ravages of the English and their mercenaries, if we are to contend alone against their whole force, with the immense difficulty of obtaining from Europe arms and ammunition, after a thousand evasions, great risk, and loss of time. It is for your majesty, in conjunction with some other European powers, to put a stop to these ravages by a commercial alliance with the United States.

There is no name so highly respected among us as that of your majesty. Hence there is no king the declaration of whose friendship would inspire our people with so much courage and add so much force to our cause.

I rely on your majesty's goodness to pardon me for entering into this long detail, and for suggesting thoughts so unworthy of your attention, and so badly expressed in a language which I have but cursorily learnt.* But I prefer writing incorrectly to communicating to any one what I have the honor of offering to the consideration of your majesty.

I have the honor to be, sire, etc.,

ARTHUR LEE.

Frederick the Great to Count de Maltzan.[†]

POTSDAM, June 30, 1777.

* * * I have received nothing from you by the last regular courier. But I must tell you of an act of singular daring and recklessness on the part of Chevalier Elliot, [the British minister to Berlin]. That minister took the liberty, through one of his domestics, of abstracting the portfolio of Lee, the American, from his desk in the "Auberge de Corsica," in Berlin; and the theft having made a noise, he not only brought back the portfolio to the American, but, moreover, came himself to avow the theft to my minister, with all the circumstances that accompanied it, making various bad excuses for the part he took in it. It is properly what is called a public theft ["un vol public"]; and if I had wished to make him feel the resentment which the law of nations authorizes, and which he richly deserved, I would immediately have forbidden him the court. But having himself told his fault, and having submitted his person and his sentence to my discretion and my generosity, I did not wish to push things to an extreme, and confined myself to notifying him through my ministers of the impropriety and lawlessness of his conduct.

Such, in fine, is the minister whom the court where you are has chosen to reside at mine, and you can judge very well what would have been the sensation created by a similar performance there, and how the Chevalier Elliot would have been regarded. It is in the school of Bute that such scholars are formed.

[*De la main propre du roi :*]

Oh ! le digne écolier de Bute ! Oh ! l'homme incomparable que votre goddam Elliot ! En vérité, les Anglais devraient rougir de honte d'envoyer de tels ministres aux cours étrangères.

* This letter was drawn up and communicated in the French language.—SPARKS.

† Translated from Circourt's Bancroft, vol. 3, p. 211. As to this theft, see introduction, § 91; A. Lee to commissioners, June 28, 1777, with note.

Hancock, President of Congress, to William Lee.*

PHILADELPHIA, July 1, 1777.

SIR: Herewith you will receive commissions from the Congress of the United States of North America, authorizing and appointing you to represent the said Congress as their commissioner at the courts of Vienna and Berlin. You will proceed with all convenient expedition to those courts, visiting that first which, on consultation with the commissioners at the court of France, shall be judged most proper. You will lose no time in announcing in form to those courts the Declaration of Independence made in Congress on the 4th of July, 1776. The reasons of this act of independence are so strongly adduced in the declaration itself that further argument is unnecessary. As it is of the greatest importance to these States that Great Britain be effectually obstructed in the plan of sending German and Russian troops to North America, you will exert all possible address and vigor to cultivate the friendship and procure the interference of the Emperor and of Prussia. To this end you will propose treaties of friendship and commerce with these powers, upon the same commercial principles as were the basis of the first treaties of friendship and commerce proposed to the courts of France and Spain by our commissioners, and which were approved in Congress the 17th day of September, 1776, and not interfering with any treaties which may have been proposed to or concluded with the courts above mentioned. For your better instruction herein the commissioners at the court of Versailles will be desired to furnish you, from Paris, with a copy of the treaty originally proposed to Congress, to be entered into with France, together with the subsequent alterations that have been proposed on either side.

You are to propose no treaty of commerce to be of longer duration than the term of twelve years from the date of its ratification by the Congress of the United States. And it must never be forgotten, in these commercial treaties, that reciprocal and equal advantages to the people of both countries be firmly and plainly secured.

There being reasons to suppose that his Prussian Majesty makes commerce an object, you will not fail to place before him in the clearest light the great advantages that may result from a free trade between the Prussian dominions and North America.

You will seize the first favorable moment to solicit, with decent firmness and respect, an acknowledgment of the independence of these States, and the public reception of their commissioner as the representative of sovereign States. The measures you may take in the premises, and the occurrences of your negotiation, you will communicate to Congress by every opportunity.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 591. As to W. Lee's execution of this mission, see introduction, § 176; as to the mistaken policy on which this and similar diplomatic appointments were made, see introduction, §§ 16, *f.*

It may not be improper to observe that these instructions, and all others which you may receive from time to time, should be kept as secret as circumstances will admit.

JOHN HANCOCK.

Hancock, President of Congress, to Izard.*

PHILADELPHIA, July 1, 1777.

SIR: Herewith you will receive a commission from the Congress of the United States of North America, authorizing and appointing you to represent the said Congress, as their commissioner, at the court of the Grand Duke of Tuscany. You will proceed with all convenient expedition to the court of the grand duke, and will lose no time in announcing in form the Declaration of Independence made in Congress the 4th day of July, 1776. The reasons of this act of independence are so strongly adduced in the declaration itself, that further argument is unnecessary.

As it is of the greatest importance to these States that Great Britain be effectually obstructed in the plan of sending German and Russian troops to North America, you will exert all possible address to prevail with the grand duke to use his influence with the Emperor and the courts of France and Spain to this end.

You will propose a treaty of friendship and commerce with the said grand duke, upon the same commercial principles as were the basis of the first treaties of friendship and commerce proposed to the courts of France and Spain by our commissioners, and which were approved in Congress the 17th day of September, 1776, and not interfering with any treaties which may have been proposed to or concluded with the courts above mentioned. For your better instruction herein, the commissioners at the court of Versailles will be desired to furnish you from Paris, with a copy of the treaty originally proposed by Congress to be entered into with France, together with the subsequent alterations that have been proposed on either side.

You are to propose no treaty of commerce to be of longer duration than the term of twelve years from the date of its ratification by the Congress of the United States. And it must never be forgotten in those commercial treaties, that reciprocal and equal advantages to the people of both countries be firmly and plainly secured.

There being reason to suppose that his Royal Highness makes commerce an object of his attention, you will not fail to place before him in

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 647. Izard never reached Florence, nor did he even receive any official recognition from Tuscany, whose government refused him permission even to visit its dominions. (See introduction, § 97^a.) As to Izard's course in remaining in Paris two years and drawing his salary, see introduction, § 179.

the clearest light, the great advantages that may result from a free trade between Tuscany and North America.

You will seize the first favorable moment to solicit, with firmness and respect, an acknowledgment of the independence of these States, and the public reception of their commissioner as the representative of a sovereign State.

The measures you may take in the premises, and the occurrences of your negotiation, you will communicate to Congress by every opportunity.

It may not be improper to observe that these instructions, and all others which you may receive from time to time, should be kept as secret as circumstances will admit.

JOHN HANCOCK.

A. Lee to the King of Prussia.*

BERLIN, July 1, 1777.

SIR: Having been robbed in your city of Berlin in a most extraordinary manner, I have thus far relied on the common police. But as it seemed very probable that the individual who committed this robbery can not be prosecuted by the common police, I am obliged to disturb your majesty's quiet, and to request that an audience may be granted to me, in order to make my complaint, and to say some things thereupon which it is impossible to commit to paper or to confide to any one but your majesty.

I am, sire, etc.,

ARTHUR LEE.

Harrison et al., Committee of Foreign Affairs, to the Commissioners in Paris.^t

PHILADELPHIA, July 2, 1777.

GENTLEMEN: Since our last of the 26th ultimo, which mentions the enemy being retreated to Amboy, we have to inform you that General Washington dismissed the Jersey militia, except about two thousand, and likewise countermanded the re-enforcement of three thousand men from General Putnam's division at Peekskill. We suppose General Howe to be apprised of these circumstances, as he immediately after returned with his whole force from Amboy, and made an attempt to cut off a division of our army under General Stirling, but without success. For particulars we refer you to General Washington's letters, in the newspapers of the 2d instant.

A letter from General Washington, just received, informs that the

* 1 Spark's Dep. Rev. Corr., 439. See A. Lee to commissioners, June 28, 1777, *supra*, with note.

^t MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 227, with verbal changes.

enemy have totally evacuated the Jerseys, and are retreated to their last year's quarters on Staten Island.

We inclose to you commission and instructions for Ralph Izard and William Lee; the first, appointed commissioner to the court of Tuscany, and the latter to the courts of Vienna and Berlin. Their instructions are so intimately connected with your own, that we have thought proper to send them open, to your confidential care, that you may give information to the gentlemen, and take every due step to forward the execution of the intention of Congress.

B. HARRISON.

R. MORRIS.

T. HAYWARD.

J. LOVELL.

The King of Prussia to Arthur Lee.

[Translation.]*

POTSDAM, July 2, 1777.

The king having received Mr. Lee's letter, dated Berlin, 1st July, and his complaint of the robbery that has been committed, is pleased to return him for answer that his majesty has just ordered his minister of state, Baron de Schulenburg, to hear what he has further to offer on the subject; that for this purpose, Mr. Lee may communicate to the said minister without reserve everything he may wish to inform his majesty of, who assures him through the present letter, that an inviolable secrecy and profound silence shall be observed respecting the overtures he may think proper to make through this channel.

FREDERIC. †

Secret Journal of Congress. ‡

JULY 2, 1777.

Resolved. That the committee for foreign affairs be instructed to prepare a commission to one or more of the commissioners appointed to foreign courts, to empower him or them to represent the Congress at the States-General of the United Netherlands.

JULY 3, 1777.

The committee for foreign affairs brought in the form of a commission to the commissioner to the States-General of the United Netherlands, which was read; whereupon

Resolved, That the commission and instructions to the commissioner to the States-General of the United Netherlands be the same as those

* 1 Sparks' Dip. Rev. Corr., 439.

† See note to A. Lee to commissioners, June 28, 1777, *supra*.

‡ MSS. Dep. of State.

given to the commissioners to the courts of Vienna, Berlin, and the Grand Duke of Tuscany.

The committee for foreign affairs brought in the draft of a commission and instructions to the commissioner to be sent to the States-General of the United Netherlands, which were read.

Ordered to lie on the table.*

A. Lee to the Commissioners in Paris.†

BERLIN, July 6, 1777.

GENTLEMEN: I informed you in my last of the 28th of my having been robbed of my papers, and having retrieved them in a few hours. Whether they were read I can not ascertain, but I think they would never have returned them had they known their contents. My journal book, which was among them, contains all our transactions in France and Spain. You will therefore judge whether it be proper to guard those courts against any complaints from England. As they have returned the evidence of what they will allege, it may well be treated as a forgery.‡

I have just learnt that the envoy has dispatched his secretary to London, but whether to guard against the storm which he expects his indiscretion will excite from hence, or to give the intelligence he obtained, or both, I know not. I have thought it prudent to wait here some days to see whether the ill humor he has excited will furnish a favorable opportunity of obtaining something, but I shall leave this place next week unless something from you should stop me; hitherto I have not been favored with a single line. I see in the English papers that cruisers are sent to the Baltic, which I am afraid are against Wickes. Perhaps you will think it proper to change the name of Boux's ship, to embarrass their complaints to the States, should they make any. I inclose you the price of several articles we want, and which seem to be cheaper here than in France.

Adieu,

ARTHUR LEE.

* As to mission to the Netherlands, see introduction, § 97.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 439.

‡ This, if it be meant to suggest that the commissioners should take the ground that Arthur Lee's journal was a forgery, the reason being that as the journal was returned, the assertion, though untrue, could be safely made, is an extraordinary request, and none the less so from the fact that, while the originals were returned, Arthur Lee had no reason to believe that copies of them were not retained. Such copies were retained, and were sent to England. As to what papers were in the stolen package, there is a conflict which is examined, *supra*, in note to A. Lee to commissioners, June 28, 1777.

Vergennes to the Commissioners at Paris.*

[Translation.]

VERSAILLES, July 16, 1777.

GENTLEMEN: You can not forget that, at the first conversation I had with both of you, I assured you that you should enjoy in France, with respect to your persons, every security and comfort which we showed to foreigners; and as to your commerce and navigation, we would grant every facility compatible with the exact observation of our treaties with England, which the king's principles would induce him religiously to fulfil. In order to prevent every doubt with respect to the vessels that may participate in the favors which we grant in our ports to nations in amity, I must point out to you the article of the treaty which forbids the power of allowing privateers free access into our ports, unless through pressing necessity, as also with respect to the deposit and sale of their prizes. You promised, gentlemen, to conform thereto.

After so particular an explanation, we did not press the departure of the ship *Reprisal*, which brought Mr. Franklin to France, because we were assured it was destined to return with merchandise. We had quite lost sight of this vessel, and imagined she was in the latitudes of America, when, with great surprise, we understood that she had entered L'Orient, after taking several prizes. Orders were immediately given that she should depart in twenty-four hours, and to conduct her prizes to the only admiralties that were authorized to judge of their validity. Captain Wickes complained of a leak. Being visited by proper officers, his allegation was found to be legal and admissible, the necessary repairs were permitted, and he was enjoined to put to sea again.

After such repeated advertisements, the motives of which you have been informed of, we had no reason to expect, gentlemen, that the said Sieur Wickes would prosecute his cruising in the European seas, and we could not be otherwise than greatly surprised that, after having associated with the privateers the *Lexington* and the *Dolphin* to infest the English coast, they should all three of them come for refuge into our ports. You are too well informed, gentlemen, and too penetrating, not to see how this conduct affects the dignity of the king, my master, at the same time it offends the neutrality, which his majesty professes. I expect, therefore, from your equity, that you will be the first to condemn a conduct so opposite to the duties of hospitality and decency. The king can not dissemble it, and it is by his express order, gentlemen, that I acquaint you that orders have been sent to the ports in which the said privateers have entered, to sequester and detain them until sufficient security can be obtained that they shall return directly to their country, and not expose themselves by new acts of hostility to the necessity of seeking an asylum in our ports.

As to the prizes they may have taken, if they have brought them into

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 227, with verbal changes.

our ports, they have orders to go out immediately; and the same conduct shall be observed towards any capture of any nation whatever. Such are the obligations of our treaties, conformable to our marine ordinances, which the king can not, by any means, evade. It will be highly proper for you to make these intentions known, wherever you may think it most expedient, so that new privateers, from the example of the misconduct of those against whom we are obliged to be rigorous, may not expose themselves to the like embarrassments.

What I have the honor to inform you, gentlemen, of the king's disposition, by no means changes the assurances which I have been authorized to make to you at the time of your arrival, and which I again renew, for the security of your residence, and of all such of your nation whom it may suit to reside among us, as well as with respect to the commerce allowed of, which will meet with every facility on our part that our laws and usages will permit.

I have the honor to be, etc.,

DE VERGENNES.

Franklin and Deane to Vergennes.*

PARIS, July 17, 1777.

SIR: We are very sensible of the protection afforded to us and to our commerce since our residence in this kingdom, agreeable to the goodness of the king's gracious intentions and to the law of nations, and it gives us real and great concern when any vessels of war appertaining to America, either through ignorance or inattention, do anything that may offend his majesty in the smallest degree. The Captains Wickes, Nicholson, and Johnson have excused to us their returning to France, being chased into the channel and close to your ports by English men-of-war, of the truth of which we have no doubt, the *Reprisal* particularly having been obliged to throw her guns overboard to facilitate her escape.

We had, some days before we were honored by your excellency's letter, dispatched by an express the most positive orders to them to depart directly to America, which they are accordingly preparing to do, as your excellency will see by the letter inclosed, which we have just received by the return of that express. We shall communicate his majesty's orders to our friends residing in your ports, and acquaint the Congress with the same, to the end that our armed vessels may be warned of the consequence that must attend an infringement of them. We doubt not but they will be henceforth strictly attended to, and we are willing and ready to give any security your excellency may judge sufficient and reasonable that, after being fitted and provisioned for so long a voyage, those vessels shall proceed directly to America, with-

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 229, with verbal changes.

out making any other cruise on the coasts of England. We are thankful for the repeated assurances of his majesty's protection continued to us and such of our nation as may reside in France, and for the facilities indulged to our commerce at this critical conjuncture, which will always be remembered in our country with gratitude and affection.

We have the honor to be, etc.,

B. FRANKLIN.
SILAS DEANE.

Lovell to Washington.*

PHILADELPHIA, July 24, 1777.

SIR: So long ago as December 2, 1775, direction was given by Congress to the committee of secret correspondence to procure from Europe four good engineers. This was not, however, accomplished till the 13th of last February, when the bearer, the Chevalier Duportail,[†] with M. La Radière, M. Gouvion, and one other officer, who is left sick in the West Indies, were engaged by Dr. Franklin and Mr. Deane to come over to America. I beg your excellency to observe well that these are the only officers of any species who have been procured from abroad by express direction of Congress, and this I do because I am about to furnish you with several circumstances peculiarly within my knowledge relative to a point of equity well worthy your excellency's attention.

The corps of engineers is very honorable in France, and officers from it are sought by different European powers. These gentlemen who are come over into our service made an agreement with our commissioners to rise one degree from the rank they held at home, upon a supposition that the practice of Europe had been regarded here. But when they arrived they found instances very different with respect to officers in all other corps. It was their mishap also to see a major of artillery affecting to be exalted four ranks, as a chief, in his proper line and theirs also. They made a representation of these circumstances and appealed to the equity of Congress. But they had arrived at a time when the infatuation of some here and the wild conduct of one abroad had rendered a spirit of reformation absolutely necessary as to the point of rank.

The ingenuous, however, must own that there is singular hardship in the case of these gentlemen. The only officers ever sent for by us, procured by the real political agents of Congress, coming out with the good wishes of the French ministry, being of undoubted rank and ability in their profession, find themselves in the dilemma of becoming

* Sparks' letters to Washington, 408.

[†]As to Duportail and other French officers who entered our revolutionary service, see introduction, § 78. For contract in full, see *supra*, Feb. 13, 1777. As to Coudray, see introduction, § 82. See further as to Coudray's claims, committee to commissioners, Dec. 1, 1777.

the first examples of our new reforming spirit, or else of going home during a campaign, which their high sense of honor will not allow. But though the Chevalier Duportail was not made a brigadier, yet it appeared too gross to expose him to be directed in his peculiar line by such as will readily acknowledge his pretensions by regular education and discipline to be greatly superior to their own. His commission prevents this, and enables him so to distribute in work the others who came with him as to prevent them who have been within a few months as long in service as himself from being interfered with by such as never belonged to the royal corps of engineers in France, or perhaps but a very short time to any other.

Your excellency can not but wonder at the strange manner of wording the commission. I shall explain it with the greatest freedom. M. Du Coudray being employed as a good artillery officer to examine the arsenals in France, to see what cannon, etc., could be spared from them, acted with great industry in that employment and much seeming regard to America. In the course of his transactions between the Compte de St. Germain and Mr. Deane he was not blind to perceive that he might take occasion to serve himself. Besides being paid for his trouble and expenses in France, he procured an agreement from Mr. Deane, which has already been shown to your excellency, and has affected you, doubtless, with the same surprise and indignation which it has excited in others almost without a single exception.

I shall omit any remarks upon that treaty, or a long, *too* ingenious memorial presented to Congress with it, except such as are strictly connected with the occasion of this letter. M. Du Coudray having created himself to the command of artillery and engineers, persuaded Mr. Deane that it would be impossible to get any from the *military corps* of engineers, now called *royal*, because their demands would be so exorbitant, and that it would be also unnecessary, because we ought not to build fortified places in America to serve as secure holds to our enemy when once taken from us, and that therefore a few *bridge and causeway makers* would answer all the ends of military engineers. Such he brought with him, who were quite ready to fall under the command of an *artillery direction*, when not the lowest officer of the royal corps of engineers would have submitted to such a novel pretense.

It is needless to inquire whether it be true that Mr. Deane acknowledged he had been surprised into this uncouth compact. It is sufficient that Dr. Franklin made an after one, which Mr. Deane also signed. Is not this in fact tantamount to a disavowal of the first treaty so far as relates to the orders of Congress. For if those orders were fulfilled by the first why was a second treaty made? The agents show that there had been a deception, or that there had not been any attempt to follow the instructions of Congress as to engineers, in all the train attending M. Du Coudray.

Another remark may not be impertinent here. As these four engineers showed their treaty to the Compte de St. Germain, to whom they have also written from hence, it can not be supposed that he would have permitted a lieutenant-colonel of the royal corps of engineers and two old majors of the same to come over hither to be under the immediate command of a young major of artillery. It is not to be conceived. From whence I conclude that M. Du Coudray never let his exorbitant and whimsical treaty be known to that minister of the war department, who must have been shocked at the confusion of corps in the principles of contract.

Excuse me, dear general, I will not again wander from the point which I said I would explain. M. Du Coudray has given full scope to *his* species of ingenuity here, as in the neighborhood of Mr. Deane. I have been told that he has said if he could not be employed himself he would bring it about that these others should not. This may be an absolute falsehood. But I will own it comes the nearest of anything which I can conceive of to explain the delays which have taken place in regard to these engineers, who ought to have been sent to your excellency long ago. They have remained subject to the crucifying expenses of this city because their employment seemed to interfere with M. Du Coudray's pretensions, though those very pretensions had been rejected. Your excellency would doubtless smile if you should ever hear that even a number of *peasants* disputed three days about the difference between the consequences of a man's being colonel-in-chief, or first colonel, or colonel to take rank and command of all heretofore appointed, or colonel-commandant of engineers. Would not a brigadier or major-general of engineers alike annul the supremacy of the differently-worded commissions? Or rather, do not the four different modes give like command?

I shall pass from rank to pay. These gentlemen not only, far from the prophesied exorbitancy in demand of rank, never received one shilling in France as gratification, though others who were *not sent for* received large sums, and claim pay for their embarkation, and even pensions for life. But Dr. Franklin, supposing it would be less trouble to himself and more agreeable to the engineers to see to their own passages, stipulated their pay from the 13th of February.

As no regulations have yet been made in regard to cavalry or engineers, these gentlemen have received five months' pay as infantry, which will not refund the expenses of their voyage. I am really uneasy, when I find manly, honorable intentions do not meet with at least equal emoluments with artful, suspicious, tricking contractors. If these officers do not walk to camp, it is not because they were furnished by the board of war with horses upon my application for them; and yet the nature of their profession demands a provision of the kind. Are they suddenly to reconnoitre a camp, a river, a shoal, or a whole neighboring country, through which an army is to march, and to make the speediest return

to the generals, on foot? I trust your excellency, when asking for engineers, had ideas of something beyond what the sinister views of an ambitious foreigner have sought to inspire us with here; which is forming a causeway, or cutting a ditch, or planking a bridge. And I shall consequently rest satisfied that you will receive the officers now presenting themselves to you, and secure to them such honors and emoluments as you shall find them to merit from their education and abilities, *exemplified under your command*. No one has been more backward than I in desiring to see foreigners in our service, to the slight of my countrymen. And, except engineers, I could not admit the thought of our wanting any military strangers, other than one or two veteran adjutants or majors, who know our language well, and could serve as instructors at large to our spirited and well-attached young American officers.

I wish these engineers could speak English better than they do; but they can receive orders and give them in English, and will speedily learn to speak.

I hope your excellency will not think amiss of the freedom I have taken at this time, both as to the matter of my letter and the interruptive length of it. I do not write officially, as of the committee on foreign applications. In that capacity I have more than once communicated to you proceedings of Congress, in a style which might lead you to misconjecture my individual opinion. I write as a friend to my country, and the reputation of its Congress, its army and agents abroad. I write, as being well acquainted with your excellency, or, in other words, as thinking I know you. In short, I write because I had determined it to be my duty so to write. *That path once determined, I never ask myself whether there may be a lion in the way.*

After the important kindnesses which your excellency has done me, I so far forgive the late injury of your apologizing for a *short* answer written by one of your hurried family, as not to revenge myself by entreating you to excuse my *rough, uncopied* sheets to a violent headache. *Aliquando dormitat* did not appear an unnatural charge against Homer. *Nimium vigilat* would have appeared so against Scipio or Marlborough, and yet I am led by you to think they might have given provocation for it.

With truest vows for your prosperity, I am your excellency's obliged friend and humble servant,

JAMES LOVELL.

A. Lee to Committee on Foreign Affairs.*

PARIS, July 29, 1777.

GENTLEMEN: I had the honor of informing the committee of my proceedings at Berlin, in a letter from thence dated 11th of the last month. On my first interview with his excellency the Baron de Schulenburg,

* MSS. Dep. of State; 1 Sparks' Rev. Dip. Corr., 440.

he informed me that, upon receiving information of my intending to come to Berlin, he had written to signify the King's resolution not to receive me as a public minister, but that he should be glad to receive any information relative to the proposal of carrying on trade with us. I urged the example of civil wars both in England and Holland, during which public ministers were received from them by neutral powers, without its being deemed as an infringement of their neutrality, with many other similar instances of great authority. He answered that his majesty had pledged his honor to the King of Great Britain not to interfere in this dispute; he therefore wished that I would confine myself entirely to the subject of trade, as he could not hear any further propositions.*

As I had not been expressly commissioned by Congress to the court of Berlin, I thought it not prudent to insist upon this point; I therefore gave him what lights I could touching the proper articles of commerce, the best ports in America, and the safest means of conducting the trade. I trusted that I should find an opening for going further, upon better acquaintance and opportunity; accordingly, I ventured, in a little time, to propose the opening of their ports to our cruisers, and allowing the sale of prizes. I was assured, in answer to this proposition, that they would inquire upon what footing this was done in France and Spain, and inform me whether the same would be admitted in their ports.

Whilst I was at dinner one day some person contrived to get into my chamber, which was locked, and break open my desk, from whence he took all my papers. I soon discovered the robbery and alarmed the police. The English envoy, who happened to be on a visit in the hotel when the alarm was given, immediately went home, and in a few minutes the papers were all returned, apparently unopened. The envoy went to the king next day to excuse himself, but was not admitted. It appeared, upon examination, that his servant had frequently offered a large sum to the servants of the house if they would steal my papers; but as I never went out of my room upon the most trifling occasion without locking them up, they were obliged to have recourse to violence. The resentment of every one at so outrageous an act was soon lost in contempt of the envoy's folly for returning what he had incurred so much odium in acquiring. The minister of state told me they could do nothing more than to insist upon his recall, which he imagined the

* The distinction between recognition of independency and recognition of belligerency is well settled. In the late civil war, for instance, the insurgents were recognized by foreign powers as belligerents, and they were practically recognized by the Government of the United States when it treated prisoners taken from them as prisoners of war and not as traitors. Frederick had, before the date of the above letter, recognized the United States as belligerents. If so, they were entitled to have agents at Berlin. But it pleased him not only to overlook this distinction, but to treat the American envoys as *feræ naturæ*, whose goods it was not larceny to steal.

envoy, considering the unfavorable light in which this action had placed him, would do himself.*

I thought this a favorable opportunity of pressing for aid from the king, in artillery, arms, and money, of which I was well informed he had a considerable sum in his treasury; but I could obtain nothing but assurances of his desire to serve us if it were in his power. Upon taking leave, the Baron de Schulenburg delivered me a message from his majesty, desiring me to assure my constituents that nothing would give him more pleasure than to hear of their success, and that he wished whatever good news I received might be communicated to him. I did not omit to press his interposition relative to German and Russian auxiliaries. In answer to this, the minister assured me that we had no reason to apprehend anything, either from one or the other, in future. What I have collected from various sources upon the subject is this: The German princes who have hired their troops, besides having rendered themselves exceedingly odious, have suffered greatly, and are still suffering, by the emigrations of their subjects, for fear of being forced into this service, which is excessively unpopular and odious through all Germany. Under these circumstances those princes are neither much inclined, nor at all able, to furnish new supplies; the troops already sent were their utmost exertions, and, in all probability, will be their last.

The situation of the Empress of Russia is not more favorable; she is under a constant alarm for the internal quiet of her kingdom, in which there are everywhere the seeds of great and dangerous discontent. A considerable force is required to preserve the acquisitions she has made in Poland. The peace with the Porte is an armed truce, which threatens to break out into action every moment. The first and most sacred principle of the Mahometan religion is the union of all Mussulmans; the dividing the Crimea from them is, for this reason, a mortal wound to their religious principles, and renders the late peace universally odious. Perpetual obstacles are therefore raised to the execution of it; and the Turks are openly preparing to avenge their late defeats. So circumstanced, it is certain the Empress is herself in great need of assistance, instead of being in a condition to give it; † which, were she able, it is conceived she would never stoop to do as a subsidiary of Great Britain in such a contest, and in such company as the little German princes. What is further security against their future efforts, is the deficiency of funds on the part of our enemies. I found their credit in Germany had been at no time lower than it is now. We have good intelligence from Holland of its falling there apace. In England men ruminated every day more deeply on the dark and ruinous prospect before them, and most assuredly their credit there is already stretched to its utmost. All this may be well conceived, from the light in which the

* See A Lee to commissioners, June 28, 1777. Introduction, §§ 91, 144, 150, 193.

† See introduction, § 92.

contest has been always viewed. In England it was regarded as *unwise*; in every part of Europe, as *unwise and unjust*. Nothing but the most brilliant and immediate success could have prevented the consequence of these opinions. That has not happened, and therefore they now begin to experience the bitter effects of their folly and injustice. Every day confirms me more and more in the opinion that our enemies can not continue the war another campaign with any effect, and that the acknowledgment of your independency will be a serious subject of deliberation among the powers of Europe the ensuing winter.

Yours, etc.,

ARTHUR LEE.

A. Lee to Gerard.*

PARIS, August 1, 1777.

SIR: Understanding that his excellency Count de Vergennes was in Paris, I took that opportunity of endeavoring to pay my respects to him, without the parade of coming to Versailles, which, in the present state of things, may be troublesome. But if his excellency has any desire to know what I transacted at Berlin, I shall receive his commands to attend him at Versailles with pleasure. My instructions having been to do nothing there that might be disagreeable to this court, I have endeavored to follow them precisely.

I beg, sir, you will accept personally my respects, and I have the honor to be, etc.,

ARTHUR LEE.

Franklin and Deane's Contract with M. Holker.^t

AUGUST 6, 1777.

We, the undersigned, acknowledge that we have authorized M. Holker to treat with Messrs. Sabbatier & Desprez for five thousand coats, waistcoats, and breeches, of which two thousand five hundred coats are to be blue, and two thousand five hundred brown, with facings, linings, and collars of red, the waistcoats and breeches to be white, agreeably to the present treaty, and to the same clauses and conditions therein stipulated.

Done at Paris, the 15th of August, 1777.

B. FRANKLIN.

SILAS DEANE.

The present contract done and signed in duplicates to be faithfully executed on both sides, agreeably to its tenor and form.

Paris, 6th of August, 1777.

MONTHIEU.

SILAS DEANE,

For B. FRANKLIN and self.

* 1 Sparks' Dip. Rev. Corr., 443.

^t MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 232. See index, Holker.

AMOUNT OF SUNDRY ARTICLES OF MERCANDISE MENTIONED IN THE ABOVE CONTRACTS.

6,000 coats, complete, at 37 livres each	222,000
12,000 pair woolen stockings, at 30 per dozen	30,000
100,000 pounds of copper, at 27 per pound	135,000
22,000 pounds sheet copper and nails, at 33 per pound	36,300
20,000 pounds English tin, at 17 the hundred-weight	17,000
4,000,000 flints, 4 per 100	16,000
	456,300

Sum total, four hundred and fifty-six thousand three hundred livres, errors and omissions excepted.

Harrison et al., Committee of Foreign Affairs to the Commissioners at Paris.*

PHILADELPHIA, August 7, 1777.

GENTLEMEN: Inclosed are duplicates of commissions and instructions for William Lee and Ralph Izard, and triplicates of our letters 1, 2, 3, 4, 5, and 6.

Since our last, of July 3, various circumstances have happened in the military department, many of which are so intricate and unfinished as not to enable us to draw any just conclusions from them.

Immediately after the unsuccessful attempt made by General Howe, June 26, to cut off a detachment of our army, under Lord Stirling, as mentioned in our last, the whole body of the enemy retreated to Staten Island, embarked on board their fleet, and on the 23d of July put to sea; on the 27th they appeared off the Capes of Delaware. General Washington, with the army, arrived at Germantown on the 29th. On the 31st the enemy's fleet stood out to sea. They made a second appearance at the capes, since which we have had no account of them. As this packet goes from the eastward, you will probably be furnished with something further from that quarter.

Our worst news is, that we have lost Ticonderoga; whether by neglect or necessity, cowardice or good conduct, will appear hereafter. Congress has ordered General Gates to that department, and has directed Generals Schuyler and St. Clair to appear at headquarters, that an inquiry may be made into their conduct, and the circumstances of this mysterious affair. In the papers of July 16, 23, August 5 and 6, you have Generals Schnyler's and St. Clair's letters, and the resolves of Congress. We have been fortunate enough to take, and so unfortunate as to lose again, the *Fox* frigate. She was taken by the Captains Manly and McNeal, but two heavy English ships being in sight when she struck, she was afterwards retaken by them.

Major-General Prescott, who commanded the enemy's forces at Rhode Island, was seized and made prisoner by a small party under Lieutenant-Colonel Barton, as you may see by General Washington's letter to Congress, printed July 23. The Congress have presented Colonel Bar-

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 230, with verbal change.

ton with a sword, and likewise Lieutenant-Colonel Meigs with another, this officer having performed a gallant exploit on Long Island, bringing off nearly a hundred prisoners, and destroying a large quantity of forage.

Were it not for the Ticonderoga affair we should have nothing but good news to communicate; and even that may turn out in the end a lucky circumstance to the general cause, as did the attempt of the enemy to march through the Jerseys last winter. We have a fine healthy army, anxious for nothing so much as to meet their foes. Surely it must appear very ridiculous in Europe that General Howe should be thus shunning the army he came out to conquer, and wasting his time in cruising upon the coast with his whole fleet at this hot season of the year, when the ministry in England, and perhaps Lord Stormont at Paris, have given out that he has penetrated a hundred miles and more into the country.

We are, with great regard, gentlemen, your most humble servants,

BENJAMIN HARRISON.

ROBERT MORRIS.

JAMES LOVELL.

Harrison et al., Committee of Foreign Affairs, to Arthur Lee.*

PHILADELPHIA, August 8, 1777.

SIR: We have to acknowledge yours of March 18, from Vitoria, in Spain, and another of May 13, from Paris. The first falls particularly under the notice of the committee of commerce, to whom it has been referred.

You could not, at the time of writing it, have been certified of the arrival of some interesting dispatches from Congress to your colleagues in France, on the 10th of that month, which might have occasioned a very considerable alteration in the polities of the court of Versailles, which would consequently influence those of the court of Madrid.

The intelligence contained in your last is a most pleasing confirmation of the hopes which you had given us of pecuniary aid from Spain. Whatever tends to establish the value of our paper currency is most highly important to us. Congress will immediately go into a consideration of the several hints for this purpose, given by you and Messrs. Franklin and Deane. The unpleasing events in the northern department have so far engaged the attention of all public bodies that it has been impossible for Congress to decide upon the subjects mentioned to them by you early enough for us to forward their determinations by the present opportunity.

By our several letters dispatched in the armed sloop *Independence*, from hence, or by duplicates and gazettes sent by Mr. McCreary from Baltimore, you will know by way of Paris the history of our military af-

* I Sparks Dip. Rev. Corr., 443.

fairs in a regular detail. We are at this time altogether uncertain as to Mr. Howe's destination, his fleet not having been seen since the 1st of this month. Indeed we shall leave you, for the most part, to get information of our operations from the gentlemen at Paris, to whom we shall have the most direct opportunities of conveyance.

We wish you success on the embassy you are now engaged in; and we are pleased that you are so agreeably connected with Mr. Sayre, whose attachment to the cause of liberty and this country has been manifested.

We are, with much regard, sir, your friends and humble servants,

BENJAMIN HARRISON.

ROBERT MORRIS.

JAMES LOVELL.

Franklin, Deane, and Lee to Vergennes.*

VERSAILLES, *August 12, 1777.*

SIR: We understand, with great surprise, that one of our countrymen, Mr. Hodge, a merchant of Philadelphia, is apprehended at Paris, with all his papers, and carried away by the officers of police.[†]

As Mr. Hodge is a person of character, connected with the best houses in our country, and employed here by a committee of Congress to purchase goods, we can not conceive him capable of any willful offense against the laws of this nation. Our personal regard for him, as well as the duty of our station, obliges us to interest ourselves in his behalf, and to request, as we do most earnestly, that he may be immediately restored to us.

We have the honor to be, etc.,

B. FRANKLIN.

SILAS DEANE.

ARTHUR LEE.

A. Lee to Schulenburg.[‡]

PARIS, *August 13, 1777.*

SIR: Upon inquiry I find the plan for establishing assurance companies at Rouen, Nantes, and Bordeaux is not yet carried into execution, and that it respects French subjects only. At Cadiz they confine themselves to forty thousand livres in one bottom.

I am satisfied, sir, upon the maturest reflection and consultation with my brother commissioners, that the opening of your ports to our cruisers is the only way of commencing a commerce with effect.

Some management which this court thinks necessary to use with that

* 1 Sparks' Dip. Rev. Corr., 231.

† See index, Hodge.

‡ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 444.

of England has thrown a temporary difficulty on the admission of our cruisers and prizes into the ports of France. The great profit made by privateering is an irresistible temptation to seamen, which, together with the greater demand for our navy, will render it impossible for merchant vessels to find hands to navigate them.

We have received no direct intelligence from America for two months. The English court conceal what they receive. This, however, is certain, that General Howe, unable to make his way to Philadelphia through the Jerseys, has embarked his troops for some other expedition. As far, therefore, as we can judge, the campaign is not likely to be quite so brilliant as was expected.

I have the honor to be, etc.,

ARTHUR LEE.

A. Lee to Gardoqui.*

PARIS, August 18, 1777.

SIR: My return from Berlin gives me an opportunity of renewing our correspondence. By what I learn from Dr. Franklin our affairs with you have taken a sudden turn, for which I am at a loss to account. If the reason be not a secret of state, that may not be communicated, you will oblige me much by letting me know it. Perhaps it may be founded on some misapprehension, which on being made known may be removed.

I was in great hopes of succeeding in my endeavors to procure the admission of our armed vessels into some northern ports, but the late maneuvers of this court I am apprehensive will prevent it.† We should by that means have relieved our southern friends from part of the burden, which has hitherto rested on them alone, and turned both the observation and the complaints of Great Britain into another channel.

I have the honor to be, etc.,

ARTHUR LEE.

Vergennes to Grand.

[Translation.]*

AUGUST 21, 1777.

SIR: Your idea has been thought a just one, but as it can not as yet operate effectually it is conceived best to reserve the execution of it until such time as will produce more desirable sensations.

* 1 Sparks' Dip. Rev. Corr., 445.

† This was not only a mistake, since Vergennes was doing all he could to obtain from Prussia and Russia belligerent rights for America, but was impolitic, as Spain could only be forced to aid America by the example of France. Letters such as this were well calculated to cause Spain to look with increasing disfavor on America.

The news from Holland that certain persons of distinction are sent to America is not confirmed from any quarter. The news from London made no mention of it. There is no doubt but that England is desirous of peace. The minister himself wishes it, but I do not imagine that it is upon the same conditions as America. Your friends are neither just nor reasonable if they complain of the bounds that it is necessary to set to the enterprises of their privateers. They have been informed of what can be granted to them; they have been entreated to conform to our obligations. We have exerted a patience which they had no right to expect; but when matters are carried to excess, it is necessary to convince them that we are not insensible of it. We can not allow the privateers of any nation whatever to come in and go out of our ports as they would their own. This is a duty imposed on us by treaties. Neither can we permit the sale of prizes.* In every other respect we have shown the greatest compliance; we have even gone further than was reasonably to be expected.

It has been with the greatest regret that some severity has been shown in a few instances, although the occasions have been many. Moreover, if I am written to on the subject, and in a suitable manner, I will give an answer; but as to what you say respecting the disposition of your friends, I perceive that sentiments of friendship have not made a deep impression on them. M. de Chaumont has informed us of their intention of selling their privateers here. Should they prefer to go away with them, let them explain themselves. I will willingly endeavor to obtain immediate permission for them on positive condition that they will not return again. With regard to Hodge, you well know what he promised. I know not whether such tricks are allowed in America, but in France and Europe it is a very serious fault to tell the King a falsehood, which he did when he affirmed and gave security that the vessel which sailed from Dunkirk was not designed as a privateer.

DE VERGENNES.

Dumas to Committee of Foreign Affairs.†

AUGUST 22, 1777.

GENTLEMEN: In spite of my extreme circumspection, your enemies are not altogether without knowledge of me, and, not able to persecute me openly, are endeavoring secretly to deprive me of my post in this country. I sent an account yesterday to Paris, and to-day to a certain person at The Hague, of what has happened to me. I am sustained in all my losses by the firm resolution to live and die the faithful servant of United America, and by consequence also with the most profound

* See index, title Prizes.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 239.

respect for the honorable general Congress and yourselves. God bless your just arms.

September 5.—It would be useless for me to give you copies of the last letters that I wrote to Paris. They chiefly concern myself; and I await their answers. I will say only in general here, that, from the moment when I was first honored with your orders and your confidence, I have devoted to you, in every event, my person, services, and fidelity; and this for the love I bear to your cause, and on the most perfect conviction of its justice. I have conducted myself in the execution of your orders with all imaginable prudence, circumspection, and patience. At last, however, I am the victim of the suspicious and implacable hatred of your enemies. They have found it an easy task to injure me indirectly in the sordid, ungrateful, and treacherous heart of a person on whom my fortune depended, and who is devoted to them. I should be ruined, with my family, if I had not firm confidence of receiving in your service the annual stipend allotted for their subsistence of which I have been deprived.* To this injustice they have added the insult of tempting me by deceitful offers, which I have rejected with disdain, because I could not accept them without exposing your secrets, or at least degrading the character with which you have honored me in the eyes of those who have knowledge of it. My refusal has exasperated them against me; they will secretly ruin me as far as they are able. But I have said enough of myself.

Your enemies have begun to take the Dutch vessels in Europe as well as in America; among others, one for St. Eustatia. They are impatient at Amsterdam to know how the regency will take this; and they write me that this circumstance will probably be the cause of the detention of vessels bound for the islands two months in this port.

I have the honor to be, etc.

DUMAS.†

Deane to Robert Morris.‡

PARIS, August 23, 1777.

DEAR SIR: My letter No. 1, of this date, gives you the state of Captain Bell's proceeding, and the circumstances attending it. In this I mean to give you a short view of the conduct of this court with respect to the American ships of war, private as well as public, which I can not well do without giving you a history of facts.

You know that when I left America, naval armaments were but beginning by the Congress, and the inquiry was hardly made, even by

* As to Dumas' relations to Congress, see index, title Dumas.

† Letters of Dumas of June 24, July 7, August 2, August 14, 1777, are omitted as without public importance. Other letters of subsequent dates are omitted (in this respect following Sparks) on the same principle.

‡ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 78, with verbal changes.

individuals, whether foreign powers would admit our cruisers and their prizes?* After my arrival, the question was first started by Captain Lee, of Marblehead, at Bilboa, of which I gave you an account in my letters of October and November last. Captain Lee carried no prize into Bilboa with him; and the question turned simply on the complaint of the English consul, charging him with having committed acts of piracy on the high seas, in making prizes of English vessels. The commissary, or governor of the port, detained his vessel, and sent to court for directions, and received orders to set the vessel at liberty; which orders were accompanied with a general declaration, that his catholic majesty was neuter in the dispute between England and America. Though the issue of this business was favorable, it was not direct to the point; we wished to establish the declaration of neutrality general.

In my letters of October and November last, some of which must have been received, I repeatedly gave my sentiments in favor of sending cruisers into these seas. The first that arrived was the *Reprisal*, with two prizes. This caused much speculation; and at our first audience after, we were told, that by the treaties subsisting between France and England, ships of war belonging to any foreign power at war with either could not be admitted in their ports unless driven by stress of weather, or want of provisions, etc.; and that in such case they could not be permitted to stay longer than twenty-four hours, or until they had taken on board the provisions necessary to carry them to the nearest port of their respective states, etc., as you will see in the treaty of commerce of 1713, confirmed by all the subsequent treaties. At the same time we were given to understand, that every favor and indulgence compatible with the treaties would be shown us, and that ways might be found out to dispose of those prizes without giving public offense to England. The hint was taken, the prizes disposed of, and the *Reprisal* repaired and fitted for another cruise, which she made on the coast of Spain, taking, among other English prizes, the packet-boat from Lisbon, with which Captain Wickes returned to Port L'Orient. On this the English ambassador complained loudly, and the English merchants were alarmed. Insurance rose in London; and it was generally supposed that there would be a restitution of the prizes and detention of Captain Wickes, or a declaration of war.† This court then ordered the prizes, as well as Captain Wickes, to leave the port in twenty-four hours. The former were sent out, but sold to French merchants, and Captain Wickes, his ship being leaky, was permitted to stay. Soon after this Captain Johnson arrived in the *Lexington*; and we, having bought a cutter with a view of sending her out as a packet, altered our resolution, and equipped her as a cruiser, and sent her and the *Lexington* out under the command of Captain Wickes, as commodore, with the design of intercepting the Irish linen ships; but by con-

* See index, title Prizes.

† See index, title Privateers.

trary winds, and mistaking the time of the sailing of those ships, they were unsuccessful as to the main object; but as they sailed quite round Ireland, and took or destroyed seventeen or eighteen sail of vessels, they most effectually alarmed England, prevented the great fair at Chester, occasioned insurance to rise, and even deterred the English merchants from shipping goods in English bottoms at any rate; so that in a few weeks forty sail of French ships were loading in the Thames on freight; an instance never before known.

But upon this the English ambassador complained in a higher tone and gave us much difficulty. The prizes, however, were disposed of, though at a prodigious loss; and Captain Wickes set about repairing and refitting the *Reprisal*, which had been obliged to throw over her guns, and saw some of her beams, to escape a seventy-four gun ship, which chased her and the *Lexington* on their return from their cruise. But before he was refitted, orders were sent from court to detain his vessel and the *Lexington* until further orders. This was owing partly to Captain Wickes having repeatedly come into ports of France with prizes, and refitted his ship for fresh cruises, it being directly contrary to the treaty, which they pretend to hold sacred, and partly to the transaction at Dunkirk, and the consequent threatenings of the British ministry. In this situation Captain Wickes and Captain Johnson remain at present. Soon after Mr. Hodge's arrival, we bought a lugger at Dover, and sent her to Dunkirk. Mr. Hodge went after her, and equipped her with great secrecy, designing a blow in the North Sea.* He sent Captain Cunningham in her, and ordered him to intercept the packet between England and Holland, and then to cruise northward toward the Baltic. Cunningham fell in with the packet in a day or two after leaving Dunkirk, and took her. As she had a prodigious number of letters on board, he imagined it was proper he should return to Dunkirk instead of continuing his course. In his return he also took a brig of some value, and brought both prizes into port. This spread the alarm far and wide, and gave much real ground of complaint, as he had been entirely armed and equipped in Dunkirk, and had returned thither with his prizes. The ministry, therefore, to appease England, ordered the prizes to be returned, and Cunningham and his crew to be imprisoned, which gave the English a temporary triumph.

But not discouraged thereby, another cutter was bought, and equipped completely in the port of Dunkirk. Cunningham and his crew were set at liberty, and with some address and intrigue he got again to sea from the same port, in a swift-sailing cutter, mounting fourteen six-pounders and twenty-two swivels, with one hundred and six men. His first adventure greatly raised insurance on the northern trade: even the packet-boats from Dover to Calais were for some time insured.†

*As to Wickes, Hodge, and Cunningham, see index under their names.

†As to Cunningham, see Franklin and Deane to committee, May 25, 1777, *supra*, and note.

On his leaving the port of Dunkirk the second time, he had orders to proceed directly for America; but he and his crew, full of resentment for the insults they had received from the enemy whilst in prison at Dunkirk and afterwards, attacked the first vessels they met with, and plundered and burnt as they went on. Our last accounts are, that they had taken or destroyed about twenty sail, and had appeared off the town of Lynn, and threatened to burn it unless ransomed; but the wind proving unfavorable, they could not put their threats into execution. In a word, Cunningham, by his first and second bold expeditions, is become the terror of all the eastern coast of England and Scotland, and is more dreaded than Thurot was in the late war. But though this distresses our enemies, it embarrasses us. We solicited his enlargement; and Mr. Hodge engaged for his going directly for America. I know not how his engagement was expressed, but to appease the British ministry, and drive off an instant war, Mr. Hodge has been arrested and confined. His friends need not be in distress for him: he will soon be at liberty. He merits much from his country, having been ready at all times to promote and serve its interests.

Just before the sailing of Cunningham, Captain Burrall arrived in a Maryland pilot boat. He made several prizes in his passage, and brought one into Cherbourg with him. He came to Paris for our advice, but on his return suffered himself to be enticed on board an English cutter in the port, where he was instantly seized, and the cutter came to sail and carried him off prisoner. We complained, and were promised that he should be reclaimed by this court; it has probably been done, but we have received no answer. The ship *General Mifflin*, after cruising some time on the coasts of England and Ireland, put into Brest, and there, under continental colors, saluted the admiral, who, after consulting his officers, returned the salute, which causes much speculation, and shows that the officers, as well as the other orders of the kingdom, are much in our interest. But the politics of this court are intricate, and embarrassed with connections and alliances on the continent of Europe, which, with the state of their fleet, and their sailors being abroad in the fishery, etc., puts off bold and decisive measures. Some other prizes have arrived in different ports, particularly two valuable Jamaicamen sent into Nantes, a few days since, by Captains Babson and Hendricks.

This is a brief account of the proceedings of our cruisers who have put into the ports of this kingdom. The prizes are sold without condemnation, and consequently to a great loss, as the whole is conducted secretly and put too much in the power of the agents. Though these cruisers have not been profitable to us, they have been of infinite prejudice to our enemies both in their commerce and reputation. [Nothing can be more humiliating to those once proud lords of the ocean than the insults they receive in their own coasts and from those they so lately despised.]*

* Passage in brackets omitted by Sparks.

I will not add to this, as I shall write another letter by this conveyance.

I beg my best compliments to Mrs. Morris, and that you will believe me ever, dear sir, yours, etc.,

SILAS DEANE.

P. S.—Since writing the above the two Jamaica prizes are, by order of court, arrested, and it remains doubtful whether they will not be restored to the original proprietors. The captain of one of the privateers on his passage took on board a lady, who was prisoner on board an American privateer, bound for Boston. This he did from motives of humanity. On his arrival at Painbeuf she wrote to her brother, a merchant at Nantes, who came down, and, hoping to get the consignment of the prizes, officially advised the captain to report them as ships laden at St. Eustatia, which they did, and on their arrival at Nantes consigned the prizes to Messrs. Lee & Williams, who immediately made a private sale of them. Meantime the owners, being acquainted with the proceedings and knowing that the ships and cargoes by being regularly entered were in the hands of the custom-house, lodged claims showing that they had been falsely entered and were English property captured by American privateers, and consequently, by treaty, could not be sold in France. This obliged the Government to arrest the prizes or openly violate the treaty. Mr. Williams came up a few days since, and presented a memoir on the subject, but I fear he will receive an unfavorable answer. Orders are received for Captains Wickes and Johnson to depart the ports of France. I purpose sending duplicates of this letter by each of them. I can not omit any opportunity of doing justice to these gentlemen, their officers and seamen, whose conduct has been such as merits the approbation of their countrymen and has given reputation to our navy in France. They will not be able to carry out any goods, though we had purchased some with a design of sending by them, particularly a quantity of saltpeter. This, with other articles to a considerable amount, will be sent out in the course of this and the next month. I have received letters a few days since advising that Captain Cunningham was at Ferrol. I know not where he designs next, having nothing directly from him.

S. D.

Franklin's Remarks on a Loan for the United States.*

AUGUST, 1777.

In borrowing money, a man's credit depends on some, or all, of the following particulars:

* Sparks' Dip. Rev. Corr., 12. "This paper was written by Dr. Franklin in the summer of 1777, with the view of convincing Europeans that it was more eligible to lend money to the United States at that time than to England. It was translated and sent to different parts of Europe. In Mr. Arthur Lee's letter to Baron de Schulenberg, dated September 21, 1777, he mentions having sent a copy of it to that minister."—SPARKS.

First. His known conduct respecting former loans, and his punctuality in discharging them.

Secondly. His industry.

Thirdly. His frugality.

Fourthly. The amount and the certainty of his income, and the freedom of his estate from the incumbrance of prior debts.

Fifthly. His well-founded prospects of greater future ability, by the improvement of his estate in value and by aids from others.

Sixthly. His known prudence in managing his general affairs, the advantage they will probably receive from the loan which he and desires.

Seventhly. His known probity and honest character, manifested by his voluntary discharge of debts which he could not have been legally compelled to pay.

The circumstances which give credit to an *individual* ought to have, and will have, their weight upon the lenders of money to *public bodies* or nations. If, then, we consider and compare Britain and America in these several particulars upon the question, "To which is it safest to to lend money ?" we shall find :

1. Respecting *former loans* : That America, who borrowed ten millions during the last war for the maintenance of her army of 25,000 men and other charges, had faithfully discharged and paid that debt and all her other debts in 1772 ; whereas Britain during those ten years of peace and profitable commerce had made little or no reduction of her debt ; but, on the contrary, from time to time, diminished the hopes of her creditors by a wanton diversion and misapplication of the sinking fund destined for discharging it.

2. Respecting *industry* : Every man in America is employed ; the greater part in cultivating their own lands ; the rest in handicrafts, navigation, and commerce. An idle man there is a rarity ; idleness and inutility are disgraceful. In England the number of that character is immense ; fashion has spread it far and wide ; hence the embarrassments of private fortunes, and the daily bankruptcies arising from a universal fondness for appearance and expensive pleasures ; and hence, in some degree, the mismanagement of public business ; for habits of business and ability in it are acquired only by practice ; and where universal dissipation and the perpetual pursuit of amusement are the mode, the youth educated in it can rarely afterwards acquire that patient attention and close application to affairs which are so necessary to a statesman charged with the care of national welfare. *Hence* their frequent errors in policy, and hence the weariness at public councils and backwardness in going to them, the constant unwillingness to engage in any measure that requires thought and consideration, and the readiness for postponing every new proposition ; which postponing is therefore the only part of business they come to be expert in, an expertness produced necessarily by so much daily practice. Whereas in America

men bred to close employment in their private affairs attend with ease to those of the public when engaged in them, and nothing fails through negligence.

3. Respecting *frugality*: The manner of living in America is more simple and less expensive than in England; plain tables, plain clothing, and plain furniture in houses prevail, with few carriages of pleasure; there an expensive appearance hurts credit, and is avoided; in England it is often assumed to gain credit, and continued to ruin. Respecting *public* affairs the difference is still greater. In England the salaries of officers and emoluments of office are enormous. The king has a million sterling per annum, and yet can not maintain his family free of debt; secretaries of state, lords of treasury, admiralty, etc., have vast appointments; an auditor of the exchequer has sixpence in the pound, or a fortieth part of all the public money expended by the nation; so that when a war costs forty millions, one million is paid to him; an inspector of the mint, in the last new coinage, received as his fee £65,000 sterling per annum; to all which rewards no service these gentlemen can render the public is by any means equivalent. All this is paid by the people, who are oppressed by taxes so occasioned, and thereby rendered less able to contribute to the payment of necessary national debts. In America, salaries, where indispensable, are extremely low; but much of the public business is done gratis. The honor of serving the public ably and faithfully is deemed sufficient. *Public spirit* really exists there, and has great effects. In England it is universally deemed a nonentity, and whoever pretends to it is laughed at as a fool, or suspected as a knave. The committees of Congress which form the board of war, the board of treasury, the board of foreign affairs, the naval board, that for accounts, etc., all attend the business of their respective functions without any salary or emoluments whatever, though they spend in it much more of their time than any lord of the treasury or admiralty in England can spare from his amusements. A British minister lately computed that the whole expense of the Americans in their *civil* government, over three millions of people, amounted to but £70,000 sterling, and drew from thence a conclusion that they ought to be taxed until their expense was equal in proportion to that which it costs Great Britain to govern eight millions. He had no idea of a contrary conclusion, that if three millions may be well governed for £70,000, eight millions may be as well governed for three times that sum, and that therefore the expense of his own Government should be diminished. In that corrupted nation, no man is ashamed of being concerned in lucrative *Government jobs*, in which the public money is egregiously misapplied and squandered, the Treasury pillaged, and more numerous and heavy taxes accumulated, to the great oppression of the people. But the prospect of a greater number of such jobs by a war is an inducement with many to cry out for war upon all occasions, and to oppose every proposition of peace. Hence the constant increase

of the national debt, and the absolute improbability of its ever being discharged.

4. Respecting the *amount and certainty of income, and solidity of security*: The *whole* thirteen States of America are engaged for the payment of every debt contracted by the Congress, and the debt to be contracted by the present war is the *only* debt they will have to pay, all, or nearly all, the former debts of particular Colonies being already discharged; whereas England will have to pay not only the enormous debt this war must occasion, but all their vast preceding debt, or the interest of it; and while America is enriching itself by prizes made upon the British commerce more than ever it did by any commerce of its own, under the restraints of a British monopoly, and the diminution of its revenues, and of course less able to discharge the present indiscreet increase of its expenses.

5. Respecting prospects of greater *future ability*: Britain has none such. Her islands are circumscribed by the ocean; and, excepting a few parks or forests, she has no new land to cultivate, and can not, therefore, extend her improvements. Her numbers, too, instead of increasing from increased subsistence, are continually diminishing from growing luxury and the increasing difficulties of maintaining families, which of course discourage early marriages. Thus she will have fewer people to assist in paying her debts, and that diminishing number will be poorer. America, on the contrary, has, besides her lands already cultivated, a vast territory yet to be cultivated, which, being cultivated, continually increases in value with the increase of people; and the people, who double themselves by a *natural propagation* every twenty-five years, will double yet faster by the accession of *strangers*, as long as lands are to be had for new families; so that every twenty years there will be a double number of inhabitants obliged to discharge the public debts; and those inhabitants being more opulent may pay their shares with greater ease.

6. Respecting *prudence* in general affairs, and the advantages to be expected from the loan desired: The Americans are cultivators of land; those engaged in fishery and commerce are few compared with the others. They have ever conducted their several governments with wisdom, avoiding wars and vain expensive projects, delighting only in their peaceable occupations, which must, considering the extent of their uncultivated territory, find them employment still for ages. Whereas England, ever unquiet, ambitious, avaricious, imprudent, and quarrelsome, is half of the time engaged in war, always at an expense infinitely greater than the advantages to be obtained by it, if successful. Thus they made war against Spain in 1739 for a claim of about £95,000 (scarce a groat for each individual of the nation), and spent forty millions sterling in the war, and the lives of fifty thousand men; and finally made peace without obtaining satisfaction for the sum claimed. Indeed, there is scarce a nation in Europe against which she has not made

war on some frivolous pretext or other, and thereby imprudently accumulated a debt that has brought her on the verge of bankruptcy. But the most indiscreet of all her wars is the present against America, with whom she might for ages have preserved her profitable connection only by a just and equitable conduct. She is now acting like a mad shop-keeper, who, by beating those that pass his doors, attempts to make them come in and be his customers. America can not submit to such treatment without being first ruined, and, being ruined, her custom will be worth nothing. England, to effect this, is increasing her debt, and irretrievably ruining herself. America, on the other hand, aims only to establish her liberty and that freedom of commerce which will be advantageous to all Europe; and by abolishing that monopoly which she labored under, she will profit infinitely more than enough to repay any debt which she may contract to accomplish it.

7. Respecting *character in the honest payment of debts*: The punctuality with which America has discharged her public debts was shown under the first head; and the general good disposition of the people to such punctuality has been manifested in their faithful payment of *private debts* to England since the commencement of this war. There were not wanting some politicians (in America) who proposed *stopping that payment* until peace should be restored, alleging that in the usual course of commerce and of the credit given there was always a debt existing equal to the trade of eighteen months; that, the trade amounting to five millions sterling per annum, the debt must be seven millions and a half; that this sum paid to the British merchants would operate to prevent that distress intended to be brought upon Britain by our stoppage of commerce with her; for the merchants receiving this money, and no orders with it for further supplies, would either lay it out in public funds or in employing manufacturers to accumulate goods for a future hungry market in America upon an expected accommodation, by which means the funds would be kept up and the manufacturers prevented from murmuring. But *against this it was alleged* that injuries from ministers should not be revenged on merchants; that the credit was in consequence of private contracts made in confidence of good faith; that these ought to be held sacred and faithfully complied with; for that, whatever public utility might be supposed to arise from a breach of private faith, it was unjust, and would in the end be found unwise, honesty being in truth the best policy. On this principle the proposition was universally rejected; and though the English prosecuted the war with unexampled barbarity, burning out defenseless towns in the midst of winter and arming savages against us, the debt was punctually paid, and the merchants of London have testified to the Parliament, and will testify to all the world, that from their experience in dealing with us they had before the war no apprehension of our unfairness, and that since the war they have been convinced that their good opinion of us was well founded. England, on the contrary, an

old, corrupt government, extravagant and profligate nation, sees herself deep in debt, which she is in no condition to pay, and yet is madly and dishonestly running deeper, without any, possibility of discharging her debt but by a public bankruptcy.

It appears, therefore, from the general industry, frugality, ability, prudence, and virtue of America that she is a much safer debtor than Britain; to say nothing of the satisfaction generous minds must have in reflecting that by loans to America they are opposing tyranny and aiding the cause of liberty, which is the cause of all mankind.

Deane to Committee on Foreign Affairs.*

PARIS, September 3, 1777.

GENTLEMEN: Captain Landais is the bearer of this. He comes in the *Heureuse*, loaded with stores for America. This cargo has, by a succession of obstacles thrown in the way, been delayed from January last to a most prodigious cost and expense. I hope, however, that it may finally arrive in season to be of essential service. Captain Landais, whom I have mentioned in my former letters, will offer his service to the United States. I must repeat here what I have wrote before, that I find him to be a skillful seaman of long experience in every part of the world, of good judgment, and of the most unsuspecting honor and probity; I can but consider him as a valuable acquisition to our navy.†

My agreement with M. Monthieu, the owner of this ship, in case she should not be sold in America, is that she be dispatched with a cargo of tobacco as soon as possible, if the article is to be had, if not, with such articles as can be procured, as I have engaged for the freight out and home, and you are sensible of the necessity of having remittances by every opportunity. Whatever this ship may be loaded with, I pray the cargo may come to Messrs. Rodrique Hortalez & Co., as they have advanced for the arms and other articles of this cargo over and above their other large advances. Tobacco is the best article at present in the ports of France, or indeed in any part of Europe, and must continue so for a very considerable time yet to come, most probably for twelve months. You will please to send me an account of the cargo, whatever it may be, that you ship in this vessel, and duplicates by others.

I have the honor to be, etc.,

SILAS DEANE.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 83, with verbal changes.

† See Index, title Landais, for his subsequent history. His great eccentricity, approaching to insanity, and his quarrelsome temper, made his acquisition a source of much trouble to the American cause,

*Journal of Congress.**

SEPTEMBER 8, 1777.

Congress took into consideration the report of the committee on foreign applications, wherein they set forth: "That besides a number of officers who are come from Europe and the West Indies of their own accord to solicit for rank and employment in the American army, there are others who have proceeded upon the encouragement of conventions made and signed at Paris by Silas Deane, esquire, as agent for the United States of North America; that Mr. Deane had no authority to make such conventions, and that Congress therefore are not bound to ratify or fulfil them."

Resolved, That Congress agree to the said report.†

Franklin, Deane and Lee to Committee of Foreign Affairs.‡

PASSY, September 8, 1777.

GENTLEMEN: It is long since we had a line from you, the last received being of the date of ——, we suppose from the same causes which have occasioned your hearing so seldom from us, the difficulty of finding safe conveyances, and sometimes the loss of the dispatches by the way. Mr. Lee informs you, we suppose, of his negotiations in Prussia, and his safe return hither. There appears in that, as well as in every other country in Europe, a disposition to share in our commerce, and to oblige us as far as may be done without offending England. We have numbers of letters from eminent houses there, proposing to furnish us with a variety of commodities at reasonable rates, to be received by us in Europe and paid for here. We advise them to send their goods in their own ships and protect their own trade to and from our coasts.

We inclose you a copy of the memorial § we sent to Portugal, to which we have yet received no answer. That court has been lately much employed in adjusting its differences with Spain, which it is said are now nearly all accommodated, and that they will accede to the family compact.

This court continues the same conduct that it has held ever since our arrival. It professes to England a resolution to observe all treaties, and proves it by restoring prizes too openly brought into their ports, imprisoning such persons as are found to be concerned in fitting out armed vessels against England from France, warning frequently those from America to depart, and repeating orders against the exportation

* MSS. Dep. of State, printed journal.

† See, as to French volunteers, introduction, § 78; as to French officers generally, index, title Officers.

‡ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 233, with verbal changes.

§ Reported by Sparks as missing. See, for other correspondence, index title Portugal.

of warlike stores. To us it privately professes a real friendship, wishes success to our cause, winks at the supplies we obtain here as much as it can without giving open grounds of complaint to England, privately affords us very essential aids, and goes on preparing for war.* How long these two parts will continue to be acted at the same time, and which will finally predominate, may be a question. As it is the true interest of France to prevent our being annexed to Britain, that so the British power may be diminished, and the French commerce augmented, we are inclined to believe the sincerity is towards us, more especially as the united bent of the nation is manifestly in our favor; their not having yet commenced a war is accounted for by various reasons. The treaties subsisting among the powers of Europe, by which they are obliged to aid those attacked more than those attacking, which it is supposed will make some difference, they not being fully prepared, the absence of their seamen in their fishery and West Indies, and the treasure expected from New Spain, with the sugars from the islands, have all, it is said, contributed to restrain the national desire of a breach with England, in which her troublesome power may be reduced, the wealth and strength of France increased, and some satisfaction obtained for the injuries received in the unfair commencement of the last war.

England, too, is extremely exasperated at the sight of her lost commerce enjoyed by France, the favor our armed vessels have met with here, and the distress of their remaining trade by our cruisers, even on their own coasts; and yet she seems afraid of beginning a war with this country and Spain together, while she has our war upon her hands. In such a situation, some accident may probably bring on a war sooner than is desired by either party. In the mean time, perhaps, the delay may have this good effect for us, that enjoying the whole harvest of plunder upon the British commerce, which otherwise France and Spain would divide with us, our infant naval power finds such plentiful nourishment, as has increased and must increase its growth and strength most marvelously.

It gave us great joy to hear of the arrival of the *Mercury*, *Amphitrite*, and other vessels carrying supplies. Another ship, with a similar cargo, which had long been detained at Marseilles, we hope will soon arrive with you. We hope also that you will receive between twenty and thirty thousand suits of clothes before winter, and from time to time quantities of new and good arms, which we are purchasing in different parts of Europe. But we must desire you to remember that we are hitherto disappointed in your promises of remittance, either by the difficulties you find in shipping, or by captures, and that though far short of completing your orders, we are in danger of being greatly embarrassed by debts, in failing in performance of our contracts, and losing our credit, with that of the Congress; for though we have received three quarterly payments of the two millions of livres formerly

* See introduction, §§ 37 *ff.*, 52 *ff.*

mentioned to you, and expect the last next month, our contracts go beyond, and we must reserve the continuance of that aid for the purpose it was promised, to answer your drafts for interest, if that proposal of ours has been adopted. Particularly we beg you will attend to the affair of tobacco for the Farmers-General, with whom we have contracted to supply five thousand hogsheads of tobacco, for which they have advanced us one million of livres, in ready money, and are to pay the rest on delivery, as we formerly advised you. Your vigorous exertions in these matters are the more necessary, as during the apparent or supposed uncertainty of our affairs the loan we were directed to obtain, of two millions sterling, has hitherto been judged impracticable.

But if the present campaign should end favorably for us, perhaps we may be able to accomplish it another year, as some jealousy begins to be entertained of the English funds by the Dutch and other moneyed people of Europe, to the increase of which jealousy we hope a paper * we have drawn up (a copy whereof we inclose) may in some degree contribute when made public.

Mr. Deane has written fully to you on the effect our cruisers have had on the coast and commerce of Britain, which makes our saying much on that head unnecessary.† We can not, however, omit this opportunity of expressing our satisfaction in the conduct of the captains, and of recommending them warmly to Congress. The ostensible letter and answer from and to the minister of foreign affairs, copies of which we inclose,‡ will show the conduct which the court has thought and thinks itself at present obliged to hold with regard to our cruisers and their prizes, of which it seems fit some notice should be given to the several States. As the English goods can not in foreign markets face those of the French or Dutch, loaded as they are with the high insurance from which their competitors are exempted, it is certain the trade of Britain must diminish while she is at war with us and the rest of Europe in peace. To evade this mischief, she now begins to make use of French bottoms; but as yet we have no treaty with France, or any other power that gives to free ships the privilege of making free goods; we may weaken that project by taking the goods of our enemy wherever we find them, paying the freight. And it is imagined that the captains of the vessels so freighted may, by a little encouragement, be prevailed on to facilitate the necessary discovery.

Spain not having yet resolved to receive a minister from the Congress, Mr. Franklin still remains here. She has, however, afforded the aids we formerly mentioned, and supplies of various articles have continued till lately to be sent, consigned to Mr. Gerry, much of which we hear has safely arrived. We shall use our best endeavors to obtain a continuance and increase of those aids.

You will excuse our mentioning to you, that our expenses here are

* Missing.

† See Deane to committee, August 23, 1777.

‡ See letters under date of July 16 and 17.

necessarily very great, though we live with as much frugality as our public character will permit. Americans who escape from English prisons, destitute of everything, and others who need assistance, are continually calling upon us for it, and our funds are very uncertain, having yet received but about 64,571 livres of what was allotted for our support by Congress.*

With the greatest respect, we have the honor to be, etc.,

B. FRANKLIN.

SILAS DEANE.

ARTHUR LEE.

Dubourg to Franklin.

[Translation.]†

PARIS, *September 8, 1777.*

MY DEAR SIR: I should be much obliged to you if you would be so good as to give a letter of recommendation to some one of the chiefs of your army, in favor of a young man full of courage, and also of distinguished talents, who is at Bordeaux, ready to embark for America, where he proposes to settle himself in Pennsylvania, after having served in quality of volunteer, or otherwise, during the war. His name is Gerard. He carries with him a little adventure, sufficient for supporting him some years, and afterwards, if it is there customary, his father will make over to him his portion. I interest myself particularly in his favor because he is the brother-in-law of one of our honestest commissaries.

I have the honor to wish you a good day, and to reiterate the assurances of my inviolable attachment.

DUBOURG.

A. Lee to Committee of Foreign Affairs.‡

PARIS, *September 9, 1777.*

GENTLEMEN: I have not heard from Berlin relative to their determination about opening their ports to our cruisers.

The Abbé Raynal, who has just returned from a tour in England, tells me that nothing disgusts the English nation so much with the continuance of the war as the seeing their ports filled with French ships, to carry on their commerce with other nations. Their merchants are obliged to have recourse to this expedient to screen their merchandise. I say screen, because they can not expect that, according to the law of nations, it will be a protection when discovered. They have been driven to this necessity by the number and success of your cruisers in and about the Channel; which has raised insurance so high that

* See index, title Prisoners.

† 2 Sparks Dip. Rev. Corr., 11.

‡ 1 Sparks' Dip. Rev., 446.

their manufactures are in danger of being augmented thereby, in their price, too much for the European markets.

I thought it would be useful to inform you of these facts to show the utility of continuing and encouraging cruisers in these seas, as they may perhaps be so discouraged with the late measures in this country, which I trust will not be of long continuance, as to confine their course to the American seas.

I have the honor to be, etc.,

ARTHUR LEE.

Deane to Committee of Foreign Affairs.*

PARIS, September 10, 1777.

GENTLEMEN: This will be handed you by M. Franey, who is agent for Messrs. Rodrique Hortalez & Co.† You will see by the bills of lading the quantity of stores shipped by that house, and make some judgment of their considerable amount. The vessel in which M. Franey sails is loaded with stores, which were long since engaged, but by a succession of obstacles have been until this detained. I still hope they will arrive in safety and in season to be of service. The ship will be offered you to purchase, if she suits you, and if not, it will be equally agreeable to have her returned on the owners' account. I could not say anything of purchasing a ship without knowing more of her than I could know of this; I have therefore left it to your option to pay the price demanded or the freight; the latter is to be what is at this time customary in vessels of such force, which, not being precisely fixed, is submitted to M. Chaumont, by the advice and consent of my colleagues; it will probably be about two hundred and fifty livres per ton of goods to America and back to France; it will not exceed.

Messrs. Rodrique Hortalez & Co. have other vessels, which will follow this in a short time, which they want to have dispatched with tobacco, agreeably to what they formerly wrote you, and M. Franey goes partly on that account; I must therefore pray you to furnish him with the means of procuring the quantity he may want for them in season. The cargo of the *Therese*, sent by the way of St. Domingo, I hope is by this time arrived; it was so valuable that it was thought most prudent to send it by that route, as it would run no risk in getting there, whence it might in different bottoms be got into the continent without the considerable risk of going direct. As the vessels of Messrs. Hortalez & Co. will arrive at a time when dispatch will be of the utmost

* MSS. Dep. of State; 1 Sparks' Dip Rev. Corr., 84.

† For a copy of the power given to M. Franey by Caron Beaumarchais, representing in France the house of Hortalez & Co., and also for several resolutions of Congress on the subject, see the journals of the old Congress for April 7, 1778.—SPARKS. For other references, see index, title Franey. As to "Hortalez & Co." see introduction, § 61.

consequence, they are desirous to have their cargoes ready on their arrival. By these vessels I will write you particularly on this subject,

And in the mean time have the honor to be, with the greatest respect, &c.,

SILAS DEANE.

Franklin to Peters.*

PASSY, September 12, 1777.

SIR: The bearer, Monsieur Gerard, is recommended to me by M. Dubourg, a gentleman of distinction here, and a hearty friend to our cause. I inclose his letter, that you may see the favorable manner in which he speaks of M. Gerard. I thereupon take the liberty of recommending the young gentleman to your civilities and advice, as he will be quite a stranger there, and to request that you would put him in the way of serving as a volunteer in our armies.

I am, sir, &c.,

B. FRANKLIN.†

A. Lee to Schulenburg.‡

PARIS, September 21, 1777.

SIR: I have the honor of inclosing to you some reasons drawn up by Dr. Franklin for our conceiving that loans to us are more eligible on the part of the lender than to our enemies.

Your excellency's determination relative to the admittance of our armed vessels into your ports has been waited for with great anxiety, for the most favorable season for commencing such a commerce comes on so fast, that there will be danger of its passing away unemployed should the determination be longer delayed.§

I have the honor to be, etc.,

ARTHUR LEE.

Deane to Robert Morris.||

PARIS, September 23, 1777.

DEAR SIR:¶ As many of the commissioners' letters may have failed, I take the liberty of inclosing an extract of a letter written jointly by Dr. Franklin and myself in March last, in which we sent an extract of

* 2 Sparks' Dip. Rev. Corr., 12; 6 Bigelow's Franklin, 105.

† See *supra*, Dubourg to Franklin, Sept. 8, 1777.

‡ 1 Sparks' Dip. Rev. Corr., 447.

§ As to this correspondence, see index, title Schulenburg.

|| MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 85, with omissions.

¶ The earlier part of this letter, and much that follows, is devoted to a consideration of charges against Thomas Morris (brother of Robert Morris) who had been for some time before in charge of the mercantile interests of the United States at Nantes. As this question has no public significance, these passages are here omitted.

a letter from Mr. Lee, who had been at Nantes, and was then at Bordeaux. This letter was to the committee, and consequently to Congress. We wrote one also previously to this to the committee, just before Mr. Lee's going to Nantes.

I am informed that it is insinuated that interested and private views influenced me to write as I did,* and that the fixing Mr. Williams at Nantes was the object I had in view. I am very sorry you should be so imposed upon; the consequences must ultimately be more prejudicial to yourself than to any other person. In the mean time, as a man of honor, I assure you I have neither interest nor connection in Mr. Williams' business, nor have I engaged in the smallest private concern, except what you have been acquainted with, and which you know was in consequence of your letters in June, 1776.

Mr. Williams came to France to visit Dr. Franklin; he was in a good way of business in London, where he was entering into business with a capital house in the sugar business.† England was disagreeable to him solely on account of the animosities which prevailed among individuals on account of the public quarrel. The stores which I had engaged, and which were sent out in the *Mercury* and *Therese*, were at Nantes, where matters had been so conducted that you must suppose I had no confidence in the managers. On this occasion I applied to Mr. Williams, as a friend, to make a journey to Nantes to examine the goods and see them shipped. He left Paris without intending to tarry longer than to perform this business. But his conduct at Nantes was so much the reverse of what had preceded, that every one who wished well to our affairs desired that he might be continued there. I needed no solicitations; the interest of my country was my sole motive; I knew he served it faithfully, and I knew him to be generous and disinterested in the service. Yes, sir, disinterested; and you will acknowledge it when you are informed that what he exacted of us was barely a sufficiency to support him, not amounting to one-fourth of one per cent. of the business. He has, if I am to have the credit of fixing him there, done me great honor; he has, at the same time, obtained the good opinion and friendship of the capital persons at Nantes. I am thus particular on this subject, as I am well convinced it has been represented to you very differently. How it has been represented I know not, nor am I likely to be informed but from second hand, from your brother's showing your letter directed to me to Mr. Ross, and telling some others what were its contents, and that you not only justified his conduct, but had obtained for him more ample appointments, with

* Allusion is here made to certain charges or complaints against Mr. Thomas Morris, brother of Mr. Robert Morris. He had been a merchant in Nantes, and was an agent for transacting in that port the mercantile affairs of the United States.—SPARKS. See index, title T. Morris.

† See introduction, §§ 186, ff.

severe reprimands to me, and even oblique censure on Dr. Franklin, who happens to be Mr. Williams' uncle.

It is hard for me, acting as I have done from the most disinterested motives and from those principles of friendship which shall be ever sacred with me, to be thus censured by you unheard.*a**

Mr. Ross does justice to the character you gave of him. I expect to see him in Paris in a few days, when I shall show him what I now write you.

I have not the least desire of intermeddling in the commercial concerns of the Congress in Europe, nor of going out of my own department, whatever it may be, on any occasion; but I have been obliged to take much upon my hands in procuring supplies of clothing, etc., as have also my colleagues, on account of the unhappy situation of our affairs here as to commerce. I will not add to a letter already long, only that if I have been mistaken in anything, you will reflect that I write in reply to a part of one of yours which I am unable to procure a sight of, and assure you that no private concern affects me more than having drawn on myself your resentment by my desire of serving you.*b** Be assured that I retain the highest esteem and respect for you in your public as well as private character,

And am your sincere friend, etc.,

SILAS DEANE.

A. Lee to Gardoqui.[†]

PARIS, September 25, 1777.

SIR: I have now before me your favors of May 5 and 29, together with the last, of the 4th of this month.

By this time I expect you have been apprised, or upon applying to those who gave you the orders you will be informed, that with regard to what has been remitted, both in money and in effects, no return is expected, agreeably to what you know passed at Victoria, and of which I informed both your minister and my constituents in the letters which I had the honor of reading to you at that place. It gives me great satisfaction that everything is thus arranged and settled; and I am relieved from the embarrassment of appearing to have understood so ill what passed, or so greatly to have misrepresented it.

We are now to begin on a new footing, and I shall take care that my constituents be duly informed, that for all the aids they receive hereafter from your quarter they are to make returns in tobacco, pitch, tar, etc., to your house, agreeably to your letter. I beg to know by your

*At *a* and *b* are given details as to Thomas Morris, and to the letter are attached exhibits bearing on the same matter.

†*1 Sparks' Dip. Rev. Corr.* 447.

next whether the same arrangement is to take place for the future with regard to the deposits at the Havana and New Orleans, or whether nothing further is to be transmitted through those channels, that, if so, the trouble of sending thither and the disappointment may be prevented.

I have the honor to be, etc.,

ARTHUR LEE.

Harrison et al., Committee of Foreign Affairs, to the Commissioners at Paris *

YORKTOWN, October 6, 1777.

GENTLEMEN: Since ours to you, by return of the packet from New Hampshire, and duplicate by Mr. McCreary, from Maryland, we have not written, nor have we received any of your favors during the last two months, except a letter of old date (April 19), signed by Messrs. Deane and Dr. Lee. Captain Hammond being not yet arrived, although he sailed in April, it is too probable that he has fallen into the enemy's hands or miscarried at sea.

Two reasons have prevented us from writing hitherto, because from our assurances we had cause to expect a monthly packet, and because the progressive state of the war gave us reason to look for some more decisive event daily than had happened, and which might warrant the expense of sending a particular packet, as the casual conveyance by merchant vessels is almost entirely stopped by the number and vigilance of the enemy's cruisers.

We shall now give you an accurate detail of the war in the northern and middle departments, where alone it has raged since our last. You were before apprised of the evacuation of Ticonderoga and of the retreat of our army from thence towards Albany. General Burgoyne was rapid in pursuit of his successes, and pressed quickly on towards Fort Edward, upon Hudson's River, about twenty miles above Albany. Here his progress was interrupted by the American army, being halted and re-enforced a little below him. This circumstance, with the following events, have continued that interruption, and bid fair to render abortive, at least, the great advantages expected by our enemies from their first successes on the lakes.

The better to effect his purpose, General Burgoyne had detached General St. Leger, with a body of regular troops, Canadians and Indians, by the Oneida Lake and Wood Creek, to take Fort Schuyler (formerly Stanwix), and to make an impression along the Mohawk River. This part of the plan has been totally defeated by the bravery of General Herkimer, with the Tryon County militia, and by the gallant defense of Fort Schuyler by Colonel Gansevoort and Lieutenant Colonel Willet. The former of these met the enemy in the field, defeated them, and killed a great number of their Indian allies. This defeat

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 236, with verbal changes.

being obtained by militia, they dispersed as usual, and left the enemy to collect and lay siege to Fort Schuyler, which was defended with great gallantry by the two officers above mentioned, until the approach of General Arnold, with a body of troops, occasioned the enemy to raise the siege of that fortress and retreat with great precipitation, leaving their baggage, ammunition, provisions, and some of their artillery, which fell into our hands. Another body of troops was detached by General Burgoyne, under command of Lieutenant-Colonel Baum, to the eastward, for the purpose of collecting horses to mount the troopers, provisions, and teams for the use of the army. This detachment was met, attacked, and defeated by the brave General Stark and the New Hampshire militia, at a place called Bennington, and now rendered famous by the total overthrow of fifteen hundred regular troops (posted behind works fortified with cannon) by two thousand militia.

The two wings of General Burgoyne being thus cut off, his body remained inactive until the 19th of last month, when he moved on to attack General Gates, who commands the northern army, and who was well posted at Behmus' Heights. The consequence of this attack you will see related by General Gates himself among the inclosed papers, as well as the account of our successes in the rear of the enemy on the Lakes George and Champlain, by Colonel Brown, who had been detached by General Lincoln, who is also in General Burgoyne's rear with a strong body of troops. Surrounded as it is on all sides, with little prospect of safe retreat, and a strong army in front, growing stronger every day by re-enforcements, we hope ere long to give you information of definitive success over the British army in that quarter. An aid of General Gates, who brought us these last accounts, says, that by the concurring testimony of prisoners, deserters, and some of our own people, who escaped from the enemy, their loss could not be less than one thousand or twelve hundred men, in killed, wounded, and missing; and that General Burgoyne himself was wounded in the shoulder with a rifle ball.

In the middle department the war has been less favorable to us, as you will see by what follows. About the middle of August the British fleet appeared in the Chesapeake Bay, and landed General Howe's army at the head of Elk, about forty miles from Philadelphia. General Washington's army, which had crossed the Delaware on the embarkation of the British troops and the appearance of the fleet off the capes of that river, now proceeded to meet the enemy, and came up with them near Wilmington. After various skirmishes and maneuvers, a general engagement took place at Chad's Ford over the Brandywine,*

* Sir W. Howe, according to the statement of Lord George Germain in Parliament June 8, 1779, "had full 14,000 at the battle of Brandywine, while Washington had no more than 10,000." * * He had evidence who could prove the number of effective fighting men in Washington's army in that battle amounted to no more than 10,000." (20 Parl. Hist., 804.)

Hutchinson, in a letter under date of February 16, 1776, thus writes to an American

on the 11th of September last. This battle terminated in our leaving the enemy in possession of the field, with nine pieces of our artillery. Our loss in killed, wounded, and missing did not exceed six hundred; that of the enemy, as far as we have been able to get information, was near two thousand. An orderly taken from them since the battle makes it nineteen hundred.*

General Washington retreated across the Schuylkill, and having refreshed his army, recrossed that river in two days after the former battle, with design to attack the enemy, who remained close by the field of action until he came up with them again. To be the better prepared for battle, and to be guarded against the consequences of defeat, our army marched without baggage, and left their tents behind. In this situation, and just in the moment of beginning an attack upon the enemy, a heavy, long-continued, and cold rain, with high wind, came on and prevented it. The ammunition in the cartridge-boxes was all rendered unfit for use, the arms injured, and the troops a good deal hurt and dispirited.

In this state of things it became necessary to retire from before the enemy to a place of safety, in order to clean the arms, replace the cartridges, and refresh the men. The enemy were also without tents; but they have good blankets, are better clothed, and have tin receptacles for keeping dry their cartridges. General Howe, judging of our situation, put his army in motion, and endeavored to harass and distress us by marches, counter marches, and frequent shows of designing to give battle. After a variety of maneuvers the enemy crossed the Schuylkill below our army; and, marching to Philadelphia, have possessed themselves of that city. General Washington having refreshed his men, and being re-enforced, is moving towards the enemy. This unfortunate rain has injured our affairs considerably, by having thrown a number of our men into hospitals, and by the distress and harassment of the army consequent thereupon. However, they are recovering

correspondent his views of the immensity of the expedition, probably not being lessened by his desire to produce an impression in America:

"It is certain that a prodigious armament is preparing, and will be very soon sailing in one large body after another until the whole is gone for Amercia. The destination of the several parts I am not able to tell you. As the command will be in the two brothers, one by sea and the other by land, people are less inquisitive than otherwise they would be. I do not think a choice of men could have been made more generally satisfactory to the kingdom, and under Providence I think we may found a reasonable hope for a more favorable summer than the last." (2 Hutchinson's Diary, etc., 40.) In two years, however, he was to denounce the Howes for incapacity, if not for something worse, and to declare that it was through them that every project intrusted to them miscarried.

* The numbers mentioned are greatly exaggerated. No accurate returns seem to have been made, but the loss was afterwards estimated to have been, on the part of the Americans, three hundred killed, six hundred wounded, and four hundred prisoners, chiefly of the wounded. The British loss was about one hundred killed and four hundred wounded. (Holmes' Annals, 2d ed., vol. 2, p. 265.)—SPARKS.

again, and we hope before long will give General Howe reason to repent his possession of Philadelphia. The real injury to America from the enemy's possession of that city is not so great as some are apt at first view to imagine, unless the report and misconceptions of this matter in Europe should too much dispirit our friends and inspirit our enemies. But we rely on your careful and just representation of this matter to prevent the ill impressions which it may otherwise make. When this contest first began we foresaw the probability of losing our great towns on the water, and so expressly told our enemies in the address of the First Congress; but we are blessed with an extensive sea-coast, by which we can convey and receive benefits independent of any particular spot. But it is very far from being a clear point to us that the enemy will be able to hold Philadelphia, as we are yet masters of the Delaware below, and have hopes of keeping it so as to prevent the British fleet from getting up to the city. Should this be the case, General Howe's visit can not be of long duration.

You say that the vessels of the United States will be received at the Havana as those of France, the most favored nation. We wish to be exactly informed whether North American products may be carried thither, or prizes be taken to and disposed of in that port, or any other ports of his catholic majesty in America. You likewise mention a late draught of the Mississippi, taken for the Government of Great Britain. We are desirous of being furnished with a copy. It is with pleasure we read your assurance of sending the soldiers' clothing and other materials for the army in time to meet the approaching cold season; they will be greatly wanted.

As the small successes the enemy have met with this year will probably support the hopes of a vindictive court, and occasion the straining of every nerve for the accomplishment of its tyrannic views, we doubt not your most strenuous exertions to prevent Great Britain from obtaining Russian or German auxiliaries for the next campaign; and we think, with you, that it is an object of the greatest importance to cultivate and secure the friendship of his Prussian majesty as well for the preventing this evil as for obtaining his public recognition of our independence and leave of his ports for the purposes of commerce and disposal of prizes.

The original papers which you mention in a triplicate to have sent never came to hand, so that we can only make conjectures as to the disposition of that monarch. The marine force of the enemy is so considerable in these seas, and so overproportionate to our infant navy, that it seems quite necessary and wise to send our ships to distress the commerce of our enemies in other parts of the world. For this purpose the marine committee have already ordered some vessels to France under your direction as to their future operations, and more we expect will be sent. But our frigates are not capable of carrying much bulky commodity for commercial purposes without unfitting them for war;

besides, there is the consideration of our being obliged to get them away how and when we can, or endanger their being taken, which prevents our sending them to those staple colonies where the commodities wanted are to be obtained. The reciprocal benefits of commerce can not flow from or to North America until some maritime power in Europe will aid our cause with marine strength. And this circumstance gives us pain lest it should be construed as unwillingness on our part to pay our debts, when the truth is that we have the greatest desire of doing so, have materials in abundance, but not the means of conveying them.

This leads us to reflect on the great advantages which must unavoidably accrue to all parties, if France or Spain were to afford effectual aid on the sea, by the loan or sale of ships of war, according to the former propositions of Congress; or if the Farmers-General could be prevailed upon to receive in America the tobacco or other products of this northern continent which France may want.

We are, etc.,

B. HARRISON.
R. H. LEE.
R. MORRIS.
J. LOVELL.

P. S.—On the 4th an engagement between the two armies took place near Germantown, the circumstances of which may be known by the inclosed papers.

Harrison et al., Committee of Foreign Affairs, to the Commissioners at Paris.*

YORKTOWN, October 6, 1777.

GENTLEMEN: We shall follow your example in confining this letter entirely to yours of May 26, respecting the loan and the mode of raising it by appropriation of vacant land. It remains doubtful yet whether there is any vacant land not included within the charter limits of some one of the thirteen States, and it is an undetermined question of great magnitude whether such land is to be considered as common stock, or the exclusive property of the State within whose charter bounds it may be found.

Until this business has been determined in Congress and approved by the States you will readily discover the difficulty of doing anything in the way of raising money by appropriation of vacant land. We consider your proposal on this subject as of very great importance, and we shall not fail to solicit the attention of Congress thereto whenever the pressing business of the campaign will permit.

In the mean time we see no reason that should prevent the young nobleman of Irish extract from coming to America, because the suspension of the question concerning vacant lands will not obstruct his

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 241.

views of getting the quantity he may want, either by original entry or by purchase on the most reasonable terms, upon the frontiers of those States where vacant lands are in abundance to be met with. We are warranted to say that such rank as that nobleman may have when he leaves service in Europe will be granted to him here. Congress clearly discern with you, gentlemen, the all-important concern of supporting the credit of the continental money, and with this view have proposed, as you will see by the inclosed resolves, to pay the interest of twenty millions of dollars by bills drawn on you.

This we hope will in time replenish the loan offices so effectually as, with the aid of taxation now generally taking place, to prevent the necessity of future emissions. By your letters of the 25th of May we have no doubt but these interest bills will be paid with all due punctuality. About five millions only of the twenty voted are yet borrowed, and the interest on those five will not be drawn for in bills till near a twelve-month.

We are, etc.,

B. HARRISON.

R. H. LEE.

J. WITHERSPOON.

J. LOVELL.

A. Lee to Committee of Foreign Affairs.*

PARIS, October 6, 1777.

GENTLEMEN: From Berlin on the 11th of June, and from this place 29th of July, I had the honor of informing you at large of my proceedings in Prussia. Not having received an answer from that court relative to the reception of our privateers and their prizes in Prussian ports, I have written lately to press for one, which I hope will be favorable, as I left so friendly a disposition there, that I was desired to communicate his majesty's warmest wishes for our success. I mentioned, too, the improbability of our enemy's receiving assistance from Russia for the next campaign, and how much their resources were exhausted in Germany.

By Captain Young I received the commands of Congress in their commission for me to the court of Spain. As Dr. Franklin had announced his appointment, with an assurance of his readiness to repair to Madrid as soon as that court thought proper to receive him, it seemed unnecessary to apprise them immediately of the new appointment. During my absence in Germany a letter was received from Monsieur Gardoqui at Bilboa, intimating an expectation of returns from you for what was transmitted to you through their house. But upon application to his court, I am again authorized to assure you that for the supplies already sent no return was expected, but in future that re-

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 448.

mittances of American produce were expected for supplies through the house of Gardoqui. It is impracticable to bring them to such an explanation as to know with certainty whether they mean this in earnest or only as a cover should the transaction transpire. I am inclined to think the latter; however, I wrote to M. Gardoqui in consequence as follows: "We are now to begin on a new footing, and I shall take care that my constituents be informed that for all the aids they receive hereafter from your quarter they are to make returns in tobacco, pitch, tar, etc., to your house. I beg to know by your next whether the same arrangement is to take place for the future with regard to the deposits at the Havana and New Orleans, or whether nothing further is to be transmitted through those channels; that, if so, the trouble of sending thither and the disappointment may be prevented. As the winter campaign is approaching fast, in which blankets are of the greatest utility, I wish you to send as many of them as possible."

Upon this subject of returns I think it my duty to state to you some facts relative to the demands of this kind from Hortalez. The gentleman who uses this name* came to me about a year and a half ago in London, as an agent from this court, and wishing to communicate something to Congress. At our first interview he informed me that the court of France wished to send an aid to America of £200,000 sterling in specie, arms, and ammunition, and that all they wanted was to know through which island it was best to make the remittance, and that Congress should be apprised of it. We settled the cape as the place; and he urged me by no means to omit giving the earliest intelligence of it, with information that it would be remitted in the name of Hortalez. At our next meeting he desired me to request that a small quantity of tobacco, or some other production, might be sent to the cape, to give it the air of a mercantile transaction, repeating over and over again that it was for a cover only and not for payment, as the remittance was gratuitous.† Of all this I informed Dr. Franklin,

* Caron de Beaumarchais. See introduction, §§ 55, 61, *ff.*

† This is evidently a failure of memory. It is highly improbable that if such assurances were actually given by Beaumarchais, Arthur Lee, though frequently writing about the supplies, should have concealed the fact of their gratuitousness for a year and a half. But no such assurances were authorized by France or given by Beaumarchais. On the other hand, it was understood all round that the supplies were to be paid for in produce. This Arthur Lee himself conceded when his memory was fresh, and before it was distorted by his quarrels with Franklin, Deane, and Beaumarchais. (See Lee's letter of Jan. 3, 1777, and letter of the three commissioners of Jan. 5, 1777. Lomenie produces other proof to the same effect, volume 3, page 160, Edwards' translation. See also comments in introduction, §§ 61, *ff.* 142.) Arthur Lee made a statement similar to the above in a letter to the secret committee of Aug. 16, 1777, quoted from Arthur Lee's private letter book, in Report No. 220, 20th Cong. 1st sess. That Vergennes assured the commissioners that the supplies were gratuitous, if that is what the text means, is contradicted by Vergeunes, Franklin, and Deane, as well as by papers elsewhere noticed. (See introduction, §§ 52, 64, 142.)

chairman of the committee, by sundry opportunities. At the same time I stated to Monsieur Hortalez that if his court would dispatch eight or ten ships of the line to our aid, it would enable us to destroy all the British fleet, and decide the question at one stroke. I repeated this to him in a letter after his return to Paris, to which the answer was that there was not spirit enough in his court for such an exertion, but that he was hastening the promised succors. Upon Mr. Deane's arrival the business went into his hands, and the aids were at length embarked in the *Amphitrite*, *Mercury*, and *Seine*. The minister has repeatedly assured us, and that in the most explicit terms, that no return is expected for these subsidies.

I have the honor to be, etc.,

ARTHUR LEE.

Izard to Committee of Foreign Affairs.*

PARIS, October 6, 1777.

GENTLEMEN: I had the honor of receiving by the *Independence*, Captain Young, a commission and instructions from Congress, the objects of which I shall use my utmost endeavors to accomplish.

The powers of Europe seem to be waiting for the determination of the court of Versailles respecting the acknowledgment of the independence of America. As soon as she sets the example it will, I believe, be followed by all those whose interest makes them wish for the diminution of the power of England. In this description may be comprehended every state that can be of any service to us. It is very much the interest of most of the powers of Italy that the strength of the British navy should be lessened; some of their ports, particularly those of Naples and Civita Vecchia, have been frequently insulted, and all of them are liable to be so by a nation not remarkable for its moderation. I think, therefore, that they must be disposed to afford assistance to the States of America, privately, either by subsidy or loan.† Congress will be pleased to honor me with their instructions on this point; and in the mean time I shall endeavor to procure every information on the subject in my power. Should the proposition be approved of, they will furnish me with proper powers. If I should be so fortunate as to succeed in procuring money, I should be glad to know how it should be disposed of, whether in the purchase of such articles as are wanted or remitted in specie.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 648.

† How illusory these expectations were, see introduction, §§ 97^a and 178. So far from Tuscany contributing either countenance or aid to the United States, the grand duke would not suffer Izard to enter his territories. As for loans, Izard never obtained a dollar from Italian sources, and the whole of his salary, as large as that of Franklin, had to be paid out of the funds contributed in France for carrying on the war.

I hope to be frequently favored with the proceedings of Congress and with the state of affairs in America, which will be of importance to me, and cannot fail of giving weight to the appointment they have honored me with.

I have the honor to be, etc.,

RALPH IZARD.

P. S.—The committee will be pleased to direct their dispatches to me to the care of Dr. Franklin, or whatever commissioner may be resident at the court of France.

Franklin, Deane, and Lee to Committee of Foreign Affairs.*

PASSY, October 7, 1777.

GENTLEMEN: We received duly your dispatches by Mr. McCreery and Captain Young, dated May 2 and 30, June 13, 18, 26, and July 2. The intelligence they contain is very particular and satisfactory. It rejoices us to be informed that unanimity continues to reign among the States, and that you have so good an opinion of your affairs, in which we join with you. We understand that you have also written to us of later dates by Captain Holmis. He is arrived at Port l'Orient, but being chased and nearly taken, he sunk his dispatches.

We are also of your sentiments with regard to the interests of France and Spain respecting our independence, which interests we are persuaded they see as well as we, though particular present circumstances induce them to postpone the measures that are proper to secure those interests. They continue to hold the same conduct described in our last, which went by Wickes and Johnson, a copy whereof we send herewith. Johnson is unfortunately taken. We have lately presented an earnest memorial to both courts, stating the difficulties of our situation, and requesting that if they can not immediately make a diversion in our favor they would give a subsidy sufficient to enable us to continue the war without them, or afford the States their advice and influence in making a good peace.

Our present demand, to enable us to fulfill your orders, is for about eight millions of livres. Couriers, we understand, are dispatched with this memorial to Madrid by both the ambassador of Spain and the minister here; and we are desired to wait with patience the answer, as the two courts must act together. In the mean time they give us fresh assurances of their good will to our cause, and we have just received a fourth sum of five hundred thousand livres; but we are continually charged to keep the aids that are or may be afforded us a dead secret, even from the Congress, where they suppose England has some intelligence; and they wish she may have no certain proofs to produce

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 242, with verbal changes.

against them with the other powers of Europe. The apparent necessity of your being informed of the true state of your affairs obliges us to dispense with this injunction; but we entreat that the greatest care may be taken that no part of it shall transpire; nor of the assurances we have received that no repayment will ever be required from us of what has been already given us, either in money or military stores. The great desire here seems to be that England should strike first, and not be able to give her allies a good reason.

The total failure of remittances from you for a long time past has embarrassed us exceedingly; the contracts we entered into for clothing and arms in expectation of those remittances, and which are now beginning to call for payment, distress us much, and we are in imminent danger of bankruptcy, for all your agents are in the same situation, and they all recur to us to save their and your credit. We were obliged to discharge a debt of Myrtle's at Bordeaux, amounting to about five thousand livres, to get that vessel away, and he now duns us at every post for between four and five thousand pounds sterling, to disengage him in Holland, where he has purchased arms for you. With the same view of saving your credit Mr. Ross was furnished with twenty thousand pounds sterling to disentangle him. All the captains of your armed vessels come to us for their supplies, and we have not received a farthing of the produce of their prizes, as they are ordered into other hands. Mr. Hodge has had large sums of us.

But to give you some idea for the present till a more perfect account can be rendered of the demands upon us that we have paid, we inclose a sketch for your perusal; and shall only observe that we have refused no application in which your credit appeared to be concerned, except one from the creditors of a Mr. Ceronio, said to be your agent in Hispaniola, but of whom we had no knowledge; and we had reason to hope that you would have been equally ready to support our credit as we have been yours, and from the same motives, the good of the public, for whom we are all acting, the success of our business depending considerably upon it.

We are sorry, therefore, to find all the world acquainted here that the commissioners from Congress have not so much of your regard as to obtain the change of a single agent who disgraces us all. We say no more of this at present, contenting ourselves with the consciousness that we recommended that change from the purest motives, and that the necessity of it, and our uprightness in proposing it, will soon fully appear.

Messrs. Gardoqui, at Bilboa, have sent several cargoes of naval stores, cordage, sail cloth, anchors, etc., for the public use, consigned to Elbridge Gerry, esq. They complain that they have no acknowledgment from that gentleman of the goods being received, though they know that the vessels arrived. We have excused it to them, on the supposition of his being absent at Congress. We wish such acknowledgment

may be made, accompanied with some expressions of gratitude towards those from whom the supplies came, without mentioning who they are supposed to be. You mention the arrival of the *Amphitrite* and *Mercury*, but say nothing of the cargoes.

Mr. Hodge is discharged from his imprisonment on our solicitation, and his papers restored to him; he was well treated while in the Bastile.* The charge against him was, deceiving the Government in fitting out Cunningham from Dunkirk, who was represented as going on some trading voyage; but as soon as he was out began a cruise on the British coast, and took six sail. He is got safe into Ferrol.

We have received and delivered the commissions to Mr. William Lee and Mr. Izard. No letters came with them for those gentlemen, with information how they are to be supported on their stations. We suppose they write to you, and will acquaint you with their intentions.

Some propositions are privately communicated to us, said to be on the part of Prussia, for forming a commercial company at Embden. We shall put them into the hands of Mr. Lee.

We do not see a probability of our obtaining a loan of two millions sterling from any of the money holders in Europe till our affairs are, in their opinion, more firmly established. What may be obtained from the two crowns, either as loan or subsidy, we shall probably know on the return of the couriers, and we hope we shall be able to write more satisfactory on those heads by Captain Young, who will by that time be ready to return.

With the greatest respect, we have the honor to be, etc.,

B. FRANKLIN.

SILAS DEANE.

ARTHUR LEE.

W. Lee to the President of Congress.†

PARIS, October 7, 1777.

SIR: Your goodness I trust will excuse me for requesting the favor of you to inform the honorable Congress of the United States of America that this moment (on my arrival here from Nantes, where I have been discharging the public trust reposed in me by the secret committee of Congress) were put into my hands the instructions and appointment of me as commissioner at the courts of Vienna and Berlin, but not having had an opportunity of a conference on the subject with the commissioners here, it is not in my power at present to enlarge on the business, more especially as I am told this express is to be immediately dispatched.‡ I understand another will be sent in ten or twelve days, by

*See index, title *Hodge*.

† MSS. Dep. of State; 1 Sparks' Dip., Rev. Corr., 592.

‡ William Lee never reached either of the courts to which he was accredited. (See introduction, §§ 19, 178; index, title W. Lee.) By both courts reception was peremptorily refused.

which opportunity I shall write fully. I have only farther to entreat that you will assure the honorable Congress of my steady attachment to that respectable body and to the rights of America, which I shall invariably and on all occasions endeavor to support and maintain.

I am, with the truest respect and esteem, etc.,

WILLIAM LEE.

Schulenburg to A. Lee.

[Translation.*]

BERLIN, October 8, 1777.

SIR: I should not have deferred thus long answering the two letters which you did me the honor to write me the 13th of August and 21st of September last if I could have announced anything favorable to your wishes. But the king, notwithstanding his good inclinations towards your nation, not judging it suitable to grant to your privateers a free commerce with his ports at a time when even France, notwithstanding the considerable benefits she begins to derive from the trade with America, has thought proper to pay a deference to the representations of the English ministers, I imagined that you would have inferred from my silence, sir, that what I had to say would not correspond with your views.† We must wait for more favorable circumstances to begin a commercial connection between the two people, which his majesty will receive great pleasure in seeing increase, whenever it will not engage him in measures contrary to his principles. In the mean time, sir, I shall always be very happy in receiving any information from you concerning the situation of your affairs.

I am under many obligations to you, sir, for the memorial which you were so kind as to send me. I find it very well written, and it will no doubt make a proper impression in those countries where it is an object of speculation to put out money with foreign nations.

I have the honor to be, etc.,

BARON DE SCHULENBURG.

Dumas to Committee on Foreign Affairs.‡

THE HAGUE, October 14, 1777.

GENTLEMEN: If I do not speak to you in all my letters of the person with whom you know I am connected at The Hague, it is not because this connection does not continue daily, but because it is sufficient to

* 1 Sparks' Dip. Rev. Corr., 451.

† See index, titles A. Lee, Schulenburg, for reference to A. Lee's Prussian correspondence.

‡ 5 Sparks' Dip. Rev. Corr., 240.

give an account of our conferences to your honorable commission in Europe, and also, considering the time that my packets are on the way, my reports would be as superfluous and useless to you as they would be long and difficult to decipher or dangerous to transmit without cipher. The enemy alone would be able to profit by them. Moreover, I doubt not but your commissioners transmit to you the result of all that passes

Our States-General are assembled, and they have begun with labors which by no means please your enemies. The first was to make a claim directly, in the name of their high mightinesses, upon the English minister for the Dutch vessel destined for St. Eustatia, and taken in the Channel by an English vessel-of-war, under the pretext that the vessel was American built. (The Dutch had purchased her at Halifax.) Our States have sent instructions on this subject to their envoy at London, with orders to have discontinued whatever process has been instituted by the captor before the English judges against this vessel; and an order also to the owners of the vessel and cargo not to plead before the judges, because they have proved here that they had conformed in all things to the laws of this country and to its conventions with Great Britain. We are impatient here to learn the answer of England.

Their second debate was on a petition, in very strong terms, signed by a hundred of the principal commercial houses of Amsterdam (except the house of Hope, devoted to England), for the purpose of asking a convoy for their vessels going to the West Indies.

I have all this from the best authority; as also that the party of your enemies in this country, though yet considerable, are visibly losing their influence, and can not fail to succumb, especially if the English continue to seize our vessels, and if they wish to engage this Republic to involve itself in a war on their account; for we desire here to be at peace with all the world.

I have the honor to be, etc.

DUMAS.

Franklin to Hartley.*

PASSY, October 14, 1777.

DEAR SIR: I received duly your letter of May 2, 1777, including a copy of one you had sent me the year before, which never came to hand, and which it seems has been the case with some I wrote to you from America. Filled though our letters have always been with sentiments of good-will to both countries, and earnest desires of preventing their ruin and promoting their mutual felicity, I have been apprehensive that, if it were known that a correspondence subsisted between us, it might be attended with inconvenience to you. I have, therefore, been backward in writing, not caring to trust the post, and not well knowing who else

* 2 Sparks' Dip. Rev. Corr., 18; 6 Bigelow's Franklin, 106.

to trust with my letters. But being now assured of a safe conveyance, I venture to write to you, especially as I think the subject such a one as you may receive a letter upon without censure.*

Happy should I have been if the honest warnings I gave of the fatal separation of interests, as well as affections, that must attend the measures commenced while I was in England had been attended to, and the horrid mischief of this abominable war been thereby prevented. I should still be happy in any successful endeavors for restoring peace, consistent with the liberties, the safety, and the honor of America. As to our submitting to the Government of Great Britain, it is vain to think of it. She has given us, by her numberless barbarities (by her malice in bribing slaves to murder their masters and savages to massacre the families of farmers, with her baseness in rewarding the unfaithfulness of servants and debauching the virtue of honest seamen intrusted with our property), in the prosecution of the war and in the treatment of the prisoners, so deep an impression of her depravity, that we never again can trust her in the management of our affairs and interests. It is now impossible to persuade our people, as I long endeavored, that the war was merely ministerial, and that the nation bore still a good-will to us. The infinite number of addresses printed in your gazettes, all approving the conduct of your government towards us and encouraging our destruction by every possible means; the great majority in Parliament constantly manifesting the same sentiments, and the popular public rejoicings on occasion of any news of the slaughter of an innocent and virtuous people, fighting only in defense of their just rights; these, together with the recommendations of the same measures by even your celebrated moralists and divines in their writings and sermons, that are still approved and applauded in your great national assemblies, all join in convincing us that you are no longer the magnanimous, enlightened nation we once esteemed you, and that you are unfit and unworthy to govern us, as not being able to govern your own passions.

But, as I have said, I should be nevertheless happy in seeing peace restored. For though if my friends and the friends of liberty and virtue who still remain in England could be drawn out of it, a continuance of this war to the ruin of the rest would give me less concern, I can not, as that removal is impossible, but wish for peace for their sakes, as well as for the sake of humanity and preventing further carnage.

This wish of mine, ineffective as it may be, induces me to mention to you that, between nations long exasperated against each other in war, some act of generosity and kindness towards prisoners on one side has softened resentment and abated animosity on the other, so as to bring on an accommodation. You in England, if you wish for peace, have at present the opportunity of trying this means with regard to the prisoners now in your jails. They complain of very severe treatment.

* For correspondence between Franklin and Hartley, see index, under their names.

They are far from their friends and families, and winter is coming on, in which they must suffer extremely if continued in their present situation; fed scantily on bad provisions, without warm lodgings, clothes, or fire, and not suffered to invite or receive visits from their friends, or even from the humane and charitable of their enemies.

I can assure you, from my own certain knowledge, that your people prisoners in America have been treated with great kindness. They have been served with the same rations of wholesome provisions with our own troops; comfortable lodgings have been provided for them, and they have been allowed large bounds of villages in the healthy air to walk and amuse themselves with on their parole. Where you have thought fit to employ contractors to supply your people, these contractors have been protected and aided in their operations. Some considerable act of kindness towards our people would take off the reproach of inhumanity in that respect from the nation, and leave it where it ought with more certainty to lay—on the conductors of your war in America. This I hint to you, out of some remaining good-will to a nation I once loved sincerely. But as things are, and in my present temper of mind, not being over fond of receiving obligations, I shall content myself with proposing that your government would allow us to send or employ a commissary to take some care of those unfortunate people. Perhaps on your representations this might speedily be obtained in England, though it was refused most inhumanly at New York. If you could have leisure to visit the jails in which they are confined, and should be desirous of knowing the truth relative to the treatment they receive, I wish you would take the trouble of distributing among the most necessitous, according to their wants, five or six hundred pounds, for which your drafts on me here shall be punctually honored. You could then be able to speak with some certainty to the point in Parliament, and this might be attended with good effects.*

If you can not obtain for us permission to send a commissary, possibly you may find a trusty, humane, discreet person at Plymouth, and another at Portsmouth, who would undertake to communicate what relief we may be able to afford those unfortunate men—martyrs to the cause of liberty. Your king will not reward you for taking this trouble, but God will; I shall not mention the gratitude of America; you will have what is better—the applause of your own good conscience. Our captains have set at liberty above two hundred of your people, made prisoners by our armed vessels and brought into France, besides a great number dismissed at sea on your coasts, to whom vessels were given to carry them in. But you have not returned us a man in exchange. If we had sold your people to the Moors at Sallee, as you have many of ours to the African and East India Companies, could you have complained?

* As to treatment of prisoners, see index, Prisoners; introduction, § 22.

In revising what I have written, I found too much warmth in it, and was about to strike out some parts. Yet I let them go, as they will afford you this one reflection: "If a man, naturally cool and rendered still cooler by old age, is so warmed by our treatment of his country, how much must those people in general be exasperated against us? And why are we making inveterate enemies by our barbarity, not only of the present inhabitants of a great country, but of their infinitely more numerous posterity, who will in future ages detest the name of *Englishman* as much as the children in Holland now do those of *Alva* and *Spaniard*." This will certainly happen unless your conduct is speedily changed, and the national resentment falls where it ought to fall heavily—on your ministry, or perhaps rather on the king, whose will they only execute.

With the greatest esteem and affection, and best wishes for your prosperity, I have the honor to be, dear sir, etc.,

B. FRANKLIN.

Franklin to Lovell.

PASSY, October 17, 1777.

I received your letter (without date) communicating a method of secret writing, for which I am obliged to you. I have since received yours of July 4. I was very sensible, before I left America, of the inconveniences attending the employment of foreign officers, and therefore immediately on my arrival here I gave all the discouragement in my power to their going over. But numbers had been previously engaged by Mr. Deane, who could not resist the applications made to him. I was concerned in sending the four engineers, and in making the contract with them; but before they went I had reason to dislike one of them, and to wish the agreement had not been made, for I foresaw the discontent that man was capable of producing among his companions, and I fancy that if, instead of America, they had gone to heaven, it would have been the same thing. You can have no conception of the arts and interest made use of to recommend and engage us to recommend very indifferent persons. The opportunity is boundless. The numbers we refuse incredible. Which if you knew you would applaud us for, and on that account excuse the few we have been prevailed on to introduce to you. But, as somebody says,

"Poets lose half the praise they would have got
Were it but known what they discreetly blot."

I wish we had an absolute order to give no letter of recommendation, or even introduction, for the future, to any foreign officer whatever. As to the instruction passed in Congress, respecting French officers who do

not understand English, we never made it known here, from the same apprehension that you express. All that understood a little English would have thought themselves entitled to a commission, and the rest would have undertaken to learn it in the passage.*

With great esteem, etc.,

B. FRANKLIN.

P. S.—I inclose some papers given me by the Baron Steuben, a Prussian officer, who is gone over. Perhaps there may be useful hints in them.

Harrison et al., Committee of Foreign Affairs, to the Commissioners at Paris.[†]

YORKTOWN, October 18, 1777.

GENTLEMEN: We have the pleasure of inclosing to you the copy of a letter from General Gates, containing the circumstances of a victory gained over General Burgoyne on the 7th. This event must defeat the main views of General Clinton in proceeding up Hudson River. He has, it is true, got possession of Fort Montgomery, but with much loss, as we hear. Though the enemy should boast much of this acquisition, yet we are persuaded the consequences will be very little profitable to them, as Governor Clinton, of New York, and his brother, General James Clinton, are acting vigorously in concert with General Putnam, who commands in that quarter.

Our army under General Washington is numerous and in high spirits, while General Howe is busied in forming obstructions in the roads leading to the city of Philadelphia, by which he supports the hopes of keeping our troops from routing him out of his stolen quarters. The inclosed letters need no comment from us, being sufficient of themselves to determine your conduct in the points to which they relate. It is with concern we find that British property has lately been covered by conveyance in French bottoms, which practice pursued, and American search disliked by France, it is obvious that the most vulnerable part of Great Britain, her commerce, will be secured against us, and that by the intervention of our professed friends. We desire, therefore, gentlemen, that you will confer with the ministers of France on this subject, and satisfy them of the propriety, and even the necessity, which there is that either this commerce should be prohibited, or that the United States be at liberty to search into and make distinctions between the bottom and the enemy's property conveyed in that bottom.

To prevent ill impressions being made by a number of officers who are returning to France, we think it proper to observe that, without totally deranging and risking even the annihilation of the American

* As to French officers coming to the United States, see introduction, § 78; index, title Officers.

[†]MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 245.

armies, it was not possible to provide for many of those gentlemen in the manner they wished, and which some of them had stipulated for previous to their leaving France.* We have done all in our power to prevent discontent, but no doubt there will be some whose dissatisfactions will produce complaints, and perhaps misrepresentations. You will be guarded on this head, and represent our conduct as founded solely on the necessity of our situation.

We have the honor to be, etc.,

B. HARRISON,
R. H. LEE,
R. MORRIS,
J. LOVELL.

The battle of Saratoga is given by Sir E. S. Creasy as one of the great battles recorded in history. It certainly was epoch making, and this for the following reasons:

The troops on the American side were in the main militia, hastily levied; and even those who were called "regulars" were without any long military training, and none of them regarded themselves as soldiers for life.

They were badly officered. Schuyler, who knew the field, and who had made the disposition of the campaign, to whom at least the New York troops were attached, had been set aside on account of his apparent irresoluteness, just as his plans were ready to be put into effective execution, by the giving the command to Gates, who, as it turned out, had neither the capacity nor the courage for such a command. Arnold, as is shown by his biographer, took an active part in the battle of September 19, 1777, but it was rather that of a volunteer, inspiring the troops by his dash, than that of an officer in command. Gates himself was not on the field. Lincoln, it is true, had shown great skill in a preliminary collision at Ticonderoga, but he did not return to the main army until September 22. Except Arnold, there was not during the entire battle, one major-general, acting as such, on the field, and only one brigadier-general. Undoubtedly Washington, by stripping himself of his available troops, showed himself, in view of the importance of the object, a master of strategy; but on the field the command had to be left to Gates.

According to Bancroft (9 History U. S., chap. XXIV) "Gates had no fitness for command and wanted personal courage;" and it is further said that "on the British side three major-generals came on the field (in the battle of September 19); on the American side not one, nor a brigadier till its close." As to Gates, then, there is now no question as to the accuracy of this statement both as to his character and as to his conduct in the battle on this eventful day. In a note it is stated by Bancroft that Arnold was not on the field. So witnesses Wilkinson, whom Marshall knew and believed. Letters of Arnold and Gates admit of no other interpretation. "General Arnold not being present in the battle of the 19th of September" (R. R. Livingston to Washington, January 14, 1778). On the other hand, the documents cited by Arnold in his Life of Arnold (1850) are very strong to the effect that Arnold was not only on the field on that day, but led the American attack. Lecky (4 History of England, 62) says: "Mr. Isaac Arnold, the recent biographer of Benedict Arnold, appears to have established beyond dispute that this (the assertion of Arnold's absence) is a mistake, and that on this, as on all other occasions, Benedict Arnold showed himself an excellent soldier." To the same effect is Sparks' life of Arnold, 118; who is followed by Lord Mahon (6 History of England, 270). Gordon (History of Civil War in America, vol. 1, p. 298; Dublin, 1779) makes similar statements.

Riedesel's testimony (1 Stone's Memoirs of Riedesel, 150) also is that the Americans "were commanded on this occasion (September 19) by General Arnold." Creasy (Fif-

* See introduction, § 78; index, title Officers.

teen Decisive Battles, 482,) gives even greater prominence to Arnold, though this may have been from a not unnatural desire not to permit one for whom England paid so much to be unduly depreciated. But Robert R. Livingston's statement, as given in a letter to Washington of January 14, 1778 (2 Sparks' Letters to Washington, 551), is, when we take in the context, even stronger than we might gather from the extract given by Bancroft: "That I may not, however, seem to have been without warrant in my recommendation of him" (the writer's brother, Colonel Livingston, who was on the field on the 19th), "I take the liberty to inclose to your excellency an extract of a letter to him, written under General Arnold's directions, by a gentleman of his family, he being unable to hold the pen himself. After a warm recommendation of his conduct, both in the camp and the field, and giving him and his regiment a full share of the honor of the battle of the 19th of September (in which General Arnold, not being present, writes only from the report of those who were), he adds: 'On the 7th of October the conduct of your corps fell more immediately under the inspection of General Arnold. He thinks it but justice to you and them to observe that great part of our success on that day was owing to the gallant part they acted in storming the enemy's works and the alertness and good order they observed in the pursuit.'" Yet, to increase the puzzle we have given us by Arnold's biographer (Arnold's Life of Arnold, 182) a letter from Colonel Livingston, in which he speaks of an address of thanks to Arnold, "particularly for his conduct during the late action," that of the 19th.

On the other hand, the British army was distinguished by the presence of several eminent and highly able officers, capable not only of skillful military management, but of arousing the enthusiasm of their troops. Phillips was a brilliant and gallant officer, capable, as was afterwards shown, of dashing enterprise, and Riedesel, who was also a major-general, had the full confidence of the German contingent, and was a master of the German tactics of the day.

Undoubtedly the Americans had the advantage of numbers. But this was met by the superior discipline as well as the superior arms on the British side. Taking these conditions into consideration, the forces may have been considered, were the matter tested by a European standard, about equal. The British had a great preponderance of artillery. On the other hand, Morgan's riflemen, in their skill in a wilderness struggle, could not be matched on the British side, though there is no reason why the Canadian sharp-shooters should not have at least come near them in effectiveness.

So far as concerns strategy, the British plan, on its face, had merit which on the American side there was no opportunity to display. To use Lake Champlain and Lake George for water transit from Montreal to the Hudson, and at Albany to meet a detachment from Sir Henry Clinton, and thus to encircle New York east of the Hudson and New England by posts to the west, while the Atlantic shore was blockaded from New York to Canada, was a scheme as bold as it was practicable.

It was defeated, however, because Burgoyne's army, skillfully and adequately manned as it had been, was not strong enough to meet the militiamen, who, badly accoutered and badly officered as they were, stood in his way.

Had the battle been in the open field it might have been different. But the Americans were able to choose their ground, and the ground they chose was one in which they could avail themselves of their skill as riflemen, of their strength, and of their desperate courage.

Their courage was desperate, because they were fighting for their homes and for their women and children. Burgoyne's infamous appeal at Crown Point to his "Indian forces," at whatever distance from him, to execute the vengeance of the state, followed, as it was, by atrocities thus instigated,* had made every man in the Amer-

* This was in the face of Burgoyne's own statement to Germain that "were the Indians left to themselves enormities too horrid to think of would ensue; guilty and innocent, women and infants, would be a common prey." Some of these enormities are specified by Bancroft, vol. 9, chap. 22.

ican army believe that defeat would bring ruin and disgrace, together with all the horrors which Indians and foreign mercenaries could inflict.

That which gave the Saratoga capitulation the character of "epoch-making" was the fact that it was not likely that any British army which penetrated to the interior of America would meet with any other fate than that of Burgoyne.*

In France, as has been seen, this was at once understood. In the disastrous Seven years' war there had been no instance of a British army, with its entire artillery and camp and provisions, surrendering itself to a French army, no matter how disciplined and no matter how accomplished. Here there was such a surrender to an American army of raw recruits, under a general of whom the French at least knew nothing. The victory could only be ascribed to conditions which could not be reversed. Britain could not, without exhaustion, send to the interior of America armies stronger and better accoutered than that of Burgoyne, nor had they any general who surpassed Burgoyne in skill and dash. America could not be conquered by Britain. This was the dispatch sent from Saratoga in terms much more likely to produce conviction than could have been the most vigorous diplomatic appeal. And the recognition of the independence of the United States and the treaty of alliance ensued.

On England the effect was by no means so decisive. The very faults of the English temper, its arrogance, its obstinacy, which had produced the war with its American Colonies, and had aroused toward it in Europe a sullen and angry dislike soon to break out into war, co-operated in making England decline to accept such a defeat as final without strenuous resistance. Two elements co-operated in producing this result. George III knew no fear, and had little capacity to understand the national and geographical conditions with which he had to deal when undertaking the subjugation by war, with Indians and German hirelings as his allies, of the English population of America; and the views of George III were shared by the great body of the "bucolic" society of England which elected members to the House of Commons. And George III, and those who agreed with him, were badly advised by the group of Tory refugees in England, who asserted that with a greater display of force and of severity America would be subdued. Hence came from George III the brutal command that the Colonies must not only be compelled to return to their allegiance by civilized warfare, but that they must be distressed—distressed by incendiary assaults on their seacoast villages, and by letting loose Indian marauders and assassins on their inland settlements. Had Britain surrendered all attempts at invasion, and confined herself to blockading the American coast, the case might have been different. But of a war of invasion the surrender of Saratoga was the knell.^t

Yet Burgoyne's surrender was not without its drawbacks to the American cause. "Here is a British army, with all the advantages which high discipline and powerful armaments can give, beaten by our suddenly extemporized militia." So spoke doctrinaire politicians, who looked down with contempt upon discipline, and military science, and commissary departments, and arsenals for the manufacture and supply of improved weapons, and foreign alliances, by whom deficiencies in these respects could be made up. Yet if it was intended not merely to capture British invading troops when they got into the interior, but to found an independent government of the United States, nothing could be more mistaken than this position. Burgoyne

*According to Jesse (4 Selwyn and his Contemporaries, 267) Burgoyne "returned to England in May, 1778, was refused admission to the king, and in vain solicited a court-martial. In 1779 he was dismissed the service for refusing to return to America, agreeably with the terms of the convention which he had signed after his surrender. Three years afterwards, however, he was restored to his rank in the army, appointed commander-in-chief in Ireland, and sworn a member of the privy council. He died suddenly at his house in Hertford street, of a fit of the gout, on the 4th of August, 1792. His remains were interred in the cloisters of Westminster Abbey."

^tAs to political importance of Burgoyne's surrender, see Introduction, § 44.

and those who followed him might be defeated by troops extemporized in the interior by a conviction that if British and Indian troops were not repelled every home would be desecrated, aided as this conviction was by the advantages of a country known to themselves; but it was only by military science, with the aid of the best arms that that science could devise, that the British could be driven from such seaports as they should select as centers of power, and it was only by a foreign alliance that the British navy could be successfully met on the high seas.

Another drawback was the perilous prominence given to Gates, a man so ambitious as to seek for supreme military power and so weak as to be unconscious of his utter incapacity for the exercise of such power. When Gates was subsequently sent to South Carolina to check the British invasion of that State this incapacity was demonstrated, and it was shown that he was deficient not merely in military skill, but in that personal dash which was necessary to enable him to lead troops engaged in such warfare as was there requisite. It was not until much later days, when the historian had the opportunity of critically inspecting the records of the Saratoga surrender, that it appeared how little Gates, either by military skill or by personal valor, had to do with the successes which led to that surrender.

Yet at the time he was the hero by whom the most glorious victory of the war had been achieved, and he became the chosen champion of those doctrinaire enthusiasts who, in war, disbelieved in strategy and intrenchments and bases of supplies, and who were confident that the strongest fortifications could be carried by a popular rush, and also, in diplomacy, denouncing that courtesy and tact by which alone international intercourse can be successfully carried on, maintained that foreign aid could only be secured by impetuous demand. Hence, while in diplomacy, every European court was to be assailed by an envoy insisting on aid, Washington, on the field, was to be subordinated to Gates, if he were not compelled, by the slights put on him, to resign.* Yet nothing could have been more unjust. Washington's siege of Boston was not only marked by singular military and political wisdom, but as a victory was far more signal than that of Saratoga.

For eight months the British army, with full command of all the naval aid that could be brought to it by the greatest naval power in the world, was cooped up in Boston, unable to pierce through the works Washington had constructed, either to reach the interior or to force him to battle. The defense of Sebastopol by Todleben against the allied army and navy has always been pronounced a masterpiece of military skill, though the Russians had almost perfect discipline and had unlimited resources in the way of supplies, and though the besieged ultimately succumbed to the powers who controlled the seas. But here a British army, with the entire British navy behind it, was not only baffled in its attempts to possess itself of the defenses raised by Washington and manned by soldiers not trained to war, but was ultimately, in order to save itself, compelled to evacuate the fort. Yet the maintenance of the British position at Sebastopol, and the reduction of the works by which it was encompassed by Todleben, was of comparatively little importance to Great Britain compared with the maintenance of the British position at Boston, and the reduction of the works by which it was encompassed by Washington.

Thomas Aubrey, an officer in Lord Petersham's regiment (twenty-ninth infantry) in the Burgoyne army, published on his return to England a series of letters entitled "Travels Through the Interior Parts of America, in a series of letters, by an officer," of which a "new edition" (that now consulted) was issued in London in 1791. The letters are marked throughout by naturalness, an evident desire to tell the truth, a vivid interest in matters of natural history, and no little credulity in matters social and military. Some of his accounts of New England domestic life, of which he was a close observer during the period of his detention after the capitulation, show that this credulity must have been imposed upon by American acquaintances, who little thought that what they said from mischief would find its way into print as truth;

*See Introduction, § 11.

and in this line may be noticed the account of New England marriage rites which he introduces into his second volume. His accounts, however, of the incidents of Burgoyne's disasters are on their face so ingenuous, and so consistent with what we know from other quarters, that they claim respect. He insists that Burgoyne at the outset enjoined on the Indians conformity with the laws of war. He admits, however (August 6, 1777), after the McCrea outrage, that the general "was the more exasperated, as they (the perpetrators of this and of similar outrages) were Indians of the remoter tribes * * * whom he had been taught to look upon as more warlike. I believe, however," he adds, "he has found equal depravity of principle reigns throughout the whole of them, and the only pre-eminence of the remoter tribes consists in their ferocity." Yet, notwithstanding this discovery, Burgoyne strove, as far as he could, to keep the Indians in his ranks, though in this respect he met with but little success.

On August 8, 1777, come the following striking remarks: "I know it will be the general observation in England that we ought, after we had penetrated thus far, to have made our way to Albany by rapid marches, it being no more than fifty miles distant from this place (Fort Edward). In this instance it is to be considered how the troops are to pass two great rivers, the Hudson and the Mohawk, without batteaux; to form a bridge or water-raft to convey large bodies at once, even admitting the contrivance of a bridge of rafts to pass the Hudson and trust to chance for the passage of the Mohawk, or in case of a disappointment recourse to be had to the fords at Schenectady, which are fifteen miles from the mouth of the river, and are fordable, except after heavy rains; removing all these impediments, for a rapid march the soldier must of course be exempted from all personal incumbrances, and represented as just marching from a parade in England, for nothing can be more repugnant to the ideas of a rapid march than the load a soldier generally carries during a campaign, consisting of a knapsack, a blanket, a haversack that contains his provision, a canteen for water, a hatchet, and a proportion of the equipage belonging to his tent; these articles (and for such a march there can not be less than four days' provision) added to his accoutrements, arms, and sixty rounds of ammunition, make an enormous bulk, weighing about sixty pounds. * * * Consistent with the idea of rapidity, it is necessary to carry forward more provision than for bare sustenance during the march, or how were the men to subsist when they arrived at Albany, where the Americans will certainly make a stand; but even supposing they should not, they will of course drive off all the cattle, and destroy the corn and corn-mills. This can only be effected by carts, which could not keep pace with the army, there being only one road from Albany for wheel carriage, and in many places there are deep and wide gullies, where the bridges are broken and must necessarily be repaired.

"This road is bounded on one side by the river, and on the other by perpendicular ascents, covered with wood, where the enemy might not only greatly annoy, but where, in one night, they could throw impediments in our way that would take nearly the whole of the next day to remove; therefore every idea of conveying more provision than the men could carry on their backs must cease, as the time and labor in removing these obstructions and making new roads for the carts to pass, before they could reach the army, would inevitably be the cause of a famine, or the army must retreat. All notion of artillery is totally laid aside, as in the present state of the roads not the smallest ammunition tumbril could be carried with the army." In order to obtain sufficient stores to advance the side expedition to Bennington, which terminated disastrously for Burgoyne, the troops of whom it was composed being defeated, many slain, and others taken prisoners, the main army, having by other means obtained provisions for thirty days, crossed the Hudson on September 13, and encamped at Saratoga, on the property of General Schuyler. In the skirmishes of the 19th the skill of the American riflemen is noticed, and the barbarity of the Indian auxiliaries, whose object appeared to be to plunder and murder, but to render no efficient aid. The "enemy," he states, had at times "a great superiority of fire," and he claims

great credit to the British army for having successfully encountered "such a powerful enemy, as, from the account of the prisoners, they had nearly treble our numbers in the field." But he adds, " notwithstanding the glory of the day remains on our side, I am fearful the real advantages resulting from this hard-fought battle will rest on that of the Americans, our army being so much weakened by this engagement as not to be of sufficient strength to venture forth and improve the victory. * * * The courage and obstinacy with which the Americans fought were the astonishment of every one, and we now become fully convinced they are not that contemptible enemy we had hitherto imagined them, incapable of standing a regular engagement, and that they would only fight behind strong and powerful works." On October 6 he writes that "we have gained little more by our victory than honor, the Americans working with incessant labor to strengthen their left; their right is already unattackable." Then comes the following statement of much pertinency to the question of the possibility of a British conquest of the interior of America: "The nature of the country is peculiarly unfavorable in respect to military operations, it being difficult to reconnoiter the enemy, and to obtain any intelligence to be relied on; the roads, the situation of the enemy, the grounds for procuring forage, of which the army is in great want, and all parties are in quest of, are often attended with the utmost danger, and require great bodies to cover them." The Indians, except to plunder, would not fight; the Canadians were "easily dispirited;" and the provincials (loyalists) "withdrew on perceiving the resistance of the Americans would be more formidable than had been expected. The desertion of the Indians, Canadians, and provincials, at a time when their services were most required, was exceedingly mortifying, and however it may prove, *this instance will show future commanders what little dependence is to be placed on such auxiliaries.*" The "great execution of the American riflemen" gave them, he declares, an advantage which could only be partially met by the German chasseurs, whose "number was very inferior to the riflemen of the enemy," the British, Canadian, and provincial troops being unavailable for the purpose. Of the battle of October 7 he does not speak until November 10, on his arrival as a prisoner at Cambridge. He positively asserts that the storming attack on the post of Balscarres was led by General Arnold, who "gallantly assaulted the works, but on the general's being wounded the enemy were repulsed, which was not till after dark." On the 8th of October he states, having taken post upon the heights, "we offered battle, anxious for a conflict in a plain, where we could discern our enemy, as hitherto all our actions had been in the woods, where it is impossible exactly to prescribe to an army or separate body how to govern itself. * * * In the evening intelligence was brought that the enemy were marching to turn our right; we could prevent this by no other means than retreating towards Saratoga."

On the 11th "the possible means of farther retreat were considered in a council of war, composed of the general officers, and the only one that seemed expedient or in the least practicable, was attended with such danger as afforded little hopes of success; but nevertheless the resolve was it should be attempted. This was by a night march to Fort Edward, the troops carrying their provisions on their backs, leaving artillery, baggage, and other incumbrances behind, and to force a passage at the ford either above or below that fort." It was found, however, that this was impracticable. The army was then "worn down by a series of incessant toils and stubborn actions, abandoned in our utmost distress by the Indians, weakened by the desertion, and disappointed as to the efficacy of the Canadians and provincials, by their timidity; the regular troops reduced by the late heavy losses of many of our best men and distinguished officers to only 3,500 effective men, of which number there were not quite 2,000 British:—in this state of weakness, no possibility of retreat, our provisions nearly exhausted, and invested by an army four times our number that almost encircled us, who would not attack us from knowledge of our situation, and whose works could not be assaulted in any part."

On the 13th of October a "council of war was called, to which all the generals, field officers, and commanding officers of corps were summoned, when it was unanimously agreed that in the present circumstances we could do no other than treat with the enemy."

This narrative is of interest in connection with the question of the capacity of the Revolution to maintain itself without French aid. Of course the Revolution, without that aid might, as a formal system under Congress, have collapsed; and its armies, so far as they were stationed on the sea-coast, have been driven from the field. But when we take into consideration the factors above specified as causing Burgoyne's defeat, we find that they were inherent in any warfare waged in the interior. They are:

- (1) Difficulty in obtaining supplies by the invader.
- (2) Precariousness of his communications with his government, and with supporting forces.
- (3) Superiority of American riflemen in wilderness fights.
- (4) Elasticity of the American forces, at one time apparently shrinking into insignificance so as to invite attack, at another, when stimulated by danger or insults, swelling into an army superior in numbers, in enthusiasm, in knowledge of the country, and ability to make use of its strategic peculiarities.
- (5) Implacable animosity kindled in the great body of the population by the atrocities chargeable to the invader—plunder, rapine, and employment of Indians.
- (6) Half-heartedness of allies and of local recruits. The German officers were no doubt gallant and loyal to the flag under which they fought. But this, from the nature of things, could not have been the case with the German rank and file. They had no heart in the business, and though on the field in line of battle they stood up to their work, they showed no individual alacrity in the service, and they deserted very largely when on the march, as the narrative before us shows. And "loyalist" American aid, whether "Canadian" or "provincial," was, if we can rely on Anberney's statement, of little value, while the Indians, in the vehemence of the antagonism which throbbed through the whole country when their employment was announced, injured the British cause far more than they helped it.

Such were among the leading causes of Burgoyne's surrender. Any other British military attempt to penetrate the interior would have been obliged to succumb to the same difficulties, even though no French forces were on the field. At the same time it was to French supplies that the American forces at Saratoga owed much of their capacity to take the field. Nor, without the French fleets and troops, which subsequently arrived, could the war, in the proper sense of the word, have been maintained. The country, as a whole, could not have been subdued. But the struggle would have been very much protracted, and political conditions brought about far different from those which now exist.

Anberney's work was translated into both French and German, and the French translation, published in 1793, was annotated by Noel.

The question of American evasion of the convention of Saratoga is discussed with much fullness in Mr. Charles Deane's pamphlet on General Burgoyne and the convention, (Worcester, 1878), and also in Baxter's British Invasion, etc. (Albany, 1887), 55 ff.

"Disagreeable as is the necessity, I must here again, in justice to my own army, recur to the vigor and obstinacy with which they were fought by the enemy. A more determined perseverance than they showed in their attack upon the lines, though they were finally repulsed by the corps under Lord Balcarres, I believe is not in any officer's experience." (Burgoyne in House of Commons, May 20, 1779; 20 Parl. Hist., 800.)

"If Burgoyne's army is destroyed, little force left in Canada, only seven thousand men in New York, Howe's army not increased by his tedious voyage and three battles with Washington; if true,—where are we to stamp and conjure up new armies?

And what will less armies achieve, which such large ones have not compassed in three campaigns? We have lost Boston; have got New York, and perhaps Philadelphia. *If the Americans have fought, they will fight. If they have not, can you make them? And can you conquer them without beating them? Can you maintain the country when you have conquered it? Will a destroyed country maintain your army? And can this country maintain or recruit it, when you can already get no recruits but from Germany?*" (Walpole to Mann, Nov. 7, 1777; 7 Cunningham's Walpole, 7.)

"On Tuesday night (December 4, 1777) came news from Carleton at Quebec, which indeed had come from France earlier announcing the total annihilation (as to America) of Burgoyne's army.* Carleton declares he has no authentic information; but from all the intelligence he can get, and which he believes, Burgoyne, after dispatching Colonel Fraser with 1,000 men to seek provisions, which whole body, with their commander, was cut off, fought desperately to extricate himself, but numbers increasing and pouring upon him, he had been forced to lay down his arms, and the whole remaining army, which some say still consisted of 5,000, but probably were reduced much lower, surrendered themselves prisoners, and are to be transported to England on parole of not serving more in America—no bad circumstance for us, if they were but here. * * * You may imagine this occasions some consternation; but none at all, I assure you, in the Temple of Concord. Unless Cresus besieged the senate with an army of ingots, I do not believe there would be a deserter from the cause of *Sacra Fames*. There have been, indeed, warm skirmishes in both the Temples of Honor and Virtue, * * * but without making any impression." (Walpole to Mann, Dec. 4, 1777; 7 Cunningham's Walpole, 10.)

A copy of Burgoyne's "State of the Expedition from Canada," as laid before the House of Commons, published in London in 1778, is in the library of the Department of State. This report contains elaborate maps of the several battle-fields in which Burgoyne was concerned, as well as that of Bennington.

The following works may be consulted in connection with Burgoyne's campaign: Stevens' Address on Burgoyne's Campaign, N. Y., 1877.

Stone's Centennial Address, 1877.

An account of Burgoyne's Campaign, by Charles Watson, esq., Albany, 1844.

The effect of Burgoyne's surrender on the French ministry has been already considered (introduction § 44); and much space has been given to the discussion of the vexed question (important as bearing on the integrity of Bancroft and the vigilance of Franklin) at what time the news reached Passy. (Introduction § 196.)

As to Germain's blunder in instructions, see introduction, § 27.

As to Gates' personal career, see note under date of August 28, 1776.

A. Lee to Schulenburg.†

PARIS, October 23, 1777.

SIR: I had the honor of receiving your favor of the 8th a few days since. I can not express my regret at not having been able to form a connection between those whom I represent and a monarch whom I know my countrymen respect as the first in Europe for wisdom and valor. Any instance of friendship and approbation from a prince so respected would have added luster even to the illustrious cause in which we are contending.

On a subject of such dignity I should have been happy to see his

* See discussion as to time of arrival of news in England, introduction, § 196.

† 1 Sparks' Dip. Rev. Corr., 451.

majesty give, not receive, an example from the rest of Europe. It is not fit that the timid should lead the brave or the weak direct the wise. Satisfied as I am of his majesty's good disposition towards the United States, I trust the motives which oppose a declaration of it will not outlast a conviction that our enemies can not, with all their exertions, wrest from us the sword, the possession of which is the most substantial proof of independency.*

In the mean time I can not help so far presuming upon his majesty's graciousness and your excellency's goodness as to hope that you will enable me to inform my constituents if there is any likelihood of our enemies drawing recruits or re-enforcements from Germany, Russia, or Denmark for the next campaign. It is to that we must now look, the present not promising anything decisive, and the malignity of our enemies urging them to continue injuring us, though at the hazard of their own ruin. If your excellency, therefore, will have the goodness to inform me whether we have anything, and what, to fear from those quarters, it will be remembered with the greatest gratitude. At the same time give me leave to hope that his majesty will use his influence to prevent the success of their applications on this subject.

With respect to France having yielded to the representations of the English ambassador, the fact is, that she adheres to her treaties with England, which admit not our armed vessels to stay in her ports, except in case of necessity, where reparations are requisite and indispensable. And as it is both the interest and inclination of our cruisers to keep the sea as long as they are able, the acting consistent with their treaties is sufficient for us. We meant to ask no more of his Prussian majesty, nor that the sale of prizes should be openly practiced, so as to give just cause of complaint.

Two packets have arrived here without their dispatches, having been obliged to throw them overboard by being closely pursued. We are therefore without any late authentic intelligence. The immediate communication of any such as reaches us your excellency may rely upon.

I have the honor to be, etc.,

ARTHUR LEE.

R. H. Lee and Lovell, Committee of Foreign Affairs, to the Commissioners at
Paris.[†]

YORK, October 31, 1777.

GENTLEMEN: We have the pleasure to inclose to you the capitulation by which General Burgoyne and his whole army surrendered themselves prisoners of war. This great event might have been still greater had

* The main obstacle in the way of recognition of America by the northern powers was the unwillingness on their part to be plunged into war with Great Britain, and thus, by becoming belligerents, to lose the benefits of neutrality accruing to them.

† MSS. Dep. of State; 1 Sparks's Dip. Rev. Corr., 246, with verbal changes. See note to prior letter of Harrison to commissioners, Oct. 18, 1777.

not the operations on the Hudson River below Albany rendered it apprehensible that Sir Henry Clinton might come to the relief of General Burgoyne, as he had urged his way up to within forty-four miles of Albany, at which place were lodged the principal magazines of war and provisions for our northern army. General Gates is now moving down the North River, having sent General Stark with two thousand brave men to reduce Ticonderoga and the passes yet occupied by the enemy on Lake George.

General Howe is yet at Philadelphia, but whether he will be able to continue there may be judged from a consideration of General Burgoyne's surrender, from the hitherto unavailing efforts of the enemy to get their fleet up to the city, from General Washington's being, with a good army, now near Germantown, and closing upon the enemy's lines which run across the commons near Philadelphia, as we are informed, from Delaware to Schuylkill.

After many smaller attempts had been made in vain upon Fort Island and the chevaux-de-frize, a general and very powerful attack was made upon the 22d and 23d of this month, on Red Bank, by twelve hundred Hessians, and on Fort Island by several ships of war, which approached as near as the chevaux-de-frize would admit, and by fire from batteries erected on Province Island. The Hessians were led on by Count Donop, colonel-commandant. They attempted the place by storm, and were repulsed with the loss of seventy dead on the spot and seventy-eight prisoners wounded; among the latter are Colonel Donop and his aid-major. Among the former are a lieutenant-colonel and some inferior officers. From the ships and Province Island batteries a furious cannonade was long continued, and warmly returned by Fort Mifflin and the galleys. At length the ships were obliged to retire, with the loss of two, which the enemy set on fire themselves, and which were thus blown up. These two are said to be the *Augusta*, of sixty-four guns, and the *Liverpool*, frigate. The names of the ships we can not be sure of yet, but that two men-of-war were destroyed is certain, and being desirous of giving you the most early information of the great events at the northward, we shall be more particular about the Delaware business hereafter. We rely on your wisdom and care to make the best and most immediate use of this intelligence to depress our enemies and produce essential aid to our cause in Europe.

The public acknowledgment of the independence of these United States would be attended with beneficial consequences; and, whilst we proceed with diligence and care to profit from our advantages, we are sensible how essential European aid must be to the final establishment and security of American freedom and independence. We are in daily expectation of hearing from you, which we have not done since May last.

As some of our frigates are ordered to France under your after direction, we hope to hear in due time that more effectual distress has been

conveyed to the commerce of our enemies. It is a pity that some of their towns should not be made to suffer for the licentious conflagrations which have been kindled by them in America.

We have the honor to be, etc.,

R. H. LEE.
J. LOVELL.

R. H. Lee and Lovell, Committee of Foreign Affairs, to the Commissioners at Paris.*

YORK, November 8, 1777.

GENTLEMEN: At the time this will be delivered to you, bills of exchange will also be presented for your acceptance, drawn by the Hon. Henry Laurens, of Charleston, South Carolina, who was elected President of the Continental Congress on the first day of this month, of which we thought proper to give you thus early information, that you may duly honor his draughts, the particulars of which we shall forward speedily by another opportunity, concluding with much regard, etc.,

R. H. LEE,
J. LOVELL.

A. Lee to Schulenburg.†

PARIS, November 13, 1777.

SIR: Since I had the honor of answering your excellency's favor of the 8th of October, a commission has been received appointing William Lee commissioner of Congress to the court of Berlin, with powers to negotiate a treaty of amity and commerce with the King of Prussia. The great knowledge of this gentleman in commerce will enable him to throw far more light on that subject than I was able to communicate.

I am persuaded, sir, that with the assistance he can give, a happy foundation, at least, may be laid for effectuating his majesty's wishes on that subject. At the same time he will be better able to show the value and importance of that commerce to the subjects of his majesty and to the prosperity of his kingdom.

Your excellency will have the goodness to communicate to us his majesty's pleasure relative to this commissioner's coming to Berlin, in which he will entirely conform himself to the king's sentiments.

The entire discomfiture of General Burgoyne and the northern expedition, as well as the untruth of what was circulated about General Howe's success, with the sole view of diverting the public attention

* MSS. Dep., of State; 1 Sparks' Dip. Rev. Corr., 248, with verbal changes.

† 1 Sparks', Dip. Rev. Corr., 453. As to William Lee's rejection by the Prussian court, see index title W. Lee; introduction, §§ 19, 175; Schulenburg to A. Lee, Nov. 28, 1777, *infra*.

from the ill success of the Canadian armament, is now universally acknowledged in England. We have received no dispatches on the subject. But from the place he is in, we are satisfied General Howe will meet with a manly opposition.

I have the honor to be, etc.,

ARTHUR LEE.

A. Lee to Gardoqui and Sons.*

PARIS, November 15, 1777.

GENTLEMEN: I have learned from America that there was a difficulty on the arrival of the supplies sent to America through your house in knowing whether they were for Congress or for Mr. Gerry to whom they were consigned. Possibly you explained that to Mr. Gerry, and his absence might have occasioned the doubt. At all events you will have the goodness in future to write so clearly as to prevent any mistake of that kind.

When any prize made by any Continental armed vessel in the service of the United States is sent into Bilboa or the adjacent port, you have my authority to sell her to the best advantage, reserving half the proceeds for the Congress, at my disposal, as their representative in Spain. The other half is the property of the captain and the crew.

I beg you will inform me, by return of post, what interest you give for money put into your hands. They give here at the rate of six per cent., on condition that it be not drawn out of their hands under one month's notice. If your terms are as good, I should prefer depositing what I have with you.

I have the honor to be, etc..

ARTHUR LEE.

Journals of Congress.†

NOVEMBER 21, 1777.

Resolved, That Silas Deane, esquire, be recalled from the court of France, and that the committee for foreign affairs be directed to take proper measures for speedily communicating the pleasure of Congress herein to Mr. Deane and the other commissioners of the United States at the court of France.

Resolved, That Monday next be assigned for choosing a commissioner to the court of France in place of Silas Deane, esquire.‡

* 1 Sparks' Dip. Rev. Corr., 453.

† MSS. Dep. of State, printed journals.

‡ See introduction, §§ 159, *f.*; index, title Deane.

Franklin, Deane, and Lee to Captains of American Armed Vessels.*

PARIS, November 21, 1777.

GENTLEMEN: Complaint having been made of violences done by American armed vessels to neutral nations, in seizing ships belonging to their subjects and under their colors, and in making captures of those of the enemy, but under the protection of neutral coasts, contrary to the usage and custom of nations: This is, therefore, to warn and request you not to commit any such violation of the laws of nations, but (according to the powers expressed in your commission) to confine yourselves to the capture of the enemy's vessels when not within the protection of a neutral river, fort, or coast, and of all others whatsoever that shall be carrying soldiers, arms, ammunition, provisions, or other contraband goods to any of the British armies or ships employed against the United States. In every other case you will respect the rights of neutrality, from which you expect protection, and treat all neutral ships with the utmost kindness and friendship for the honor of your country and of yourselves.

We are, gentlemen, etc.,

BENJ'N FRANKLIN,
SILAS DEANE,
ARTHUR LEE.†

Journals of Congress.‡

NOVEMBER 22, 1777.

Congress having received information that the insidious enemies of the United States of America have endeavored to propagate in Europe false and groundless reports that a treaty had been held between Congress and the commissioners of the King of Great Britain, by which it was probable that a reconciliation would take place:

Be it declared and resolved, That the commissioners of the said United States at the several courts in Europe be authorized to represent to the courts at which they respectively reside that no treaty whatever has been held between the King of Great Britain or any of his commissioners and the said United States since their Declaration of Independence;

And whereas the cause of these United States may be greatly endangered unless such of the European powers as regard the rights of mankind should interpose to prevent the ungenerous combination of other powers against the liberties of the said States:

Resolved, That the commissioners of the United States at the several courts in Europe be directed to apply to the respective courts and re-

* MSS. Dep. of State. To be found with verbal changes in 2 A. Lee's Life, 31.

† See index, title Privateers.

‡ MSS. Dep. of State; printed journals.

quest their immediate assistance for preventing a further embarkation of foreign troops to America and also to urge the necessity of their acknowledging the independence of these States.

Resolved, That all proposals for a treaty between the King of Great Britain or any of his commissioners and the United States of America inconsistent with the independence of the said States or with such treaties or alliances as may be formed under their authority will be rejected by Congress.

Resolved, That the commissioners of the United States be severally directed to communicate to the respective courts the purport of the first and second resolutions when they shall think it expedient and to suspend the last until upon a general consultation of the commissioners a majority shall judge it necessary.*

William Lee to Thomson.[†]

PARIS, November 24, 1777.

SIR: Be so good as to inform the honorable Congress of the United States of America that I have received the commissions, whereby they have done me the honor of appointing me their commissioner and representative to the courts of Vienna and Berlin. In consequence of their instructions, I have applied to their commissioners at the court of Versailles for a copy of the treaty originally proposed by Congress to be entered into with France, together with the subsequent alterations that have been proposed on either side, which I presume they will furnish me with, and in the mean time I have been taking, and shall continue to take, measures to get the best possible information which of those courts it will be most for the interest of the United States that I should visit first in order to accomplish the most urgent object of Congress, that of preventing Great Britain from obtaining more German troops to send to America. For this object my views shall be extended to Russia, as far as the situation of affairs in Europe will admit.[‡]

Colonel Fauconet, the British agent, has been most of the year in Germany, and about two months ago General Haldiman, who was appointed and embarked to go and succeed General Carleton as governor of Quebec, was recalled and sent to Germany, as it is supposed, to aid Colonel Fauconet in obtaining more German troops. What success they will meet with I can not at present speak of with certainty, but you may rely on every exertion in my power to obstruct their operations, and have some hopes of succeeding so far as to prevent their obtaining

* See, as to British attempts to break the French alliance, Introduction § 29.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 593, with verbal changes.

‡ As to William Lee's diplomatic career, see introduction, §§ 19, 178; index, title William Lee.

more than to make up the number that the States of Hesse, Brunswick, and Anspach, have formerly contracted to keep in the pay and service of Great Britain in America. It would certainly add to their difficulty and embarrass the British ministry if there were only an appearance of beating up for men for the American States in some of the free towns in Germany, where all the world by custom is permitted to recruit and enlist men. Something of this sort might be attempted, sufficient to give a great alarm and create a diversion in your favor at a very little expense, if prudently managed.

I shall pay strict attention to my instructions, and embrace the first favorable opportunity of prevailing upon the courts of Vienna and Berlin to receive the commissioner of Congress as the representative of sovereign States, which will necessarily carry along with it an acknowledgment of the independence of the thirteen United States of America, though in this business I apprehend the other powers of Europe will wait for France and Spain to take the lead, as they are known everywhere to be friendly to the American States, and to have received hitherto greater advantages from the American commerce than any other kingdoms, and still have not determined as yet to receive the American commissioners as the representatives of sovereign States. I hope I shall be excused for observing that neither my commission or instructions authorize me to conclude any treaty with the courts of Vienna and Berlin, even if I should find those courts at any time disposed for such a measure. Congress will determine whether it may be prudent to enlarge those powers, when they consider the distance between the two countries, and the time it will take to write to Congress, receive their answer, return to them the treaty, and then again receive their ratification.

It occurs to me that it will be extremely proper for me to have a cipher to carry on my correspondence with Congress, more especially if any supplies of cordage, arms, cannon, or ammunition are purchased in the northern countries, where it is beyond a doubt they may be had infinitely better in quality and very considerably cheaper than what have been sent already, or may be sent from France or Spain, particularly iron and brass ordnance, ball, shot, fusils, woolen and linen cloth for soldiers' clothing, and tents, sail-cloth, and cordage. Ways and means may be contrived to ship any of these things from the northern ports as easily as from the southern ones. If this idea is approved of Congress, any cipher you send me shall be used when necessary. As there is no particular mode pointed out in my instructions how I am to correspond with Congress, I have adopted the following method of addressing myself to you as their secretary, it being the usual practice in similar cases in Europe; but if I am wrong, I shall hope to be better informed by the next dispatches I receive.

I am, etc.,

WILLIAM LEE.

Franklin and Deane to Thompson and Hinman.*

PARIS, November 25, 1777.

SIR : We advise you on your return to L'Orient to put your ship in readiness for sea—Captain Hinman will do the same—and after you have obtained the best intelligence to be had of the British merchant-ships and property. As it is by no means safe to return into the ports of France, you will calculate your stores, so as to have a sufficiency for your cruise, which we can not indeed be particular in the direction of. It has been suggested that one or more of the India ships returning may be intercepted, that part of the West India homeward-bound ships may be expected about this time; as well as transports returning from New York and elsewhere in America, and that by cruising in the proper latitudes you may meet with them; that the British factories and commerce on the African coast at this time lie without any force sufficient to protect them, and that by running along that coast you may greatly annoy and distress the enemy in that quarter and afterwards go for the West Indies.

As you and Captain Hinman have already considered these several plans for a cruise, we leave with you to determine which to prefer and the manner in prosecuting either, or any other that may appear more likely to answer the design of your commission. We are happy in observing the harmony and confidence which subsists between you and Captain Hinman, and hope the same prevails between your officers and men, which we are certain you will cultivate through the whole of your expedition, in which we recommend to you to avoid giving any offense to the flags of neutral powers, and to show them proper marks of respect and friendship. As you may meet with vessels of the enemy so near the coast of Europe that you may be under the necessity of sending them into some port of France, we advise you to agree with Messrs. Goularde, etc., on the method of conduct in such case previous to your departure, and give orders to the officers to whom you give the command of such prizes accordingly thereto. Whenever you judge it prudent to dismiss prisoners subjects of his Britannic Majesty, we advise you to take from them in writing an acknowledgment of their having been your prisoners, their quality, place of residence, and that they are dismissed by you in confidence that an equal number of the subjects of the thirteen United States of the same rank that now are or may hereafter be prisoners to his said Britannic Majesty will be set at liberty. You are also to deliver a copy of such writing to the prisoners, enjoining them to deliver the same on their arrival in Britain to the lords of the British admiralty, and by the first opportunity enclose a duplicate to the committee or board of marine in Boston, and another to us, with an account of your proceedings. We shall deliver Captain Hinman a copy of this letter, who will proceed in concert with you in the cruise.

With best wishes—(incomplete.)

* MSS. Dep. of State; 6 Bigelow's Franklin, 112.

A. Lee to Committee of Foreign Affairs.*

PARIS, November 27, 1777.

GENTLEMEN: Since writing the inclosed I received a letter from the King of Prussia's minister, informing me that his majesty can not at present open his ports to American armed vessels and the sale of their prizes, as he finds it is not permitted in France. I have apprised the minister of the late appointment by Congress to his court, and do not think it improbable but that the king will in a little time be prevailed upon to wink at the above measure being executed, though he will not openly approve of it till an arrangement is made for acknowledging your independency.† This will probably come under serious consideration before the winter ends, if General Howe should not be successful.

The last letter I received from the Prussian minister contains the following paragraph:

November 6.—“As to the re-enforcement of troops which Great Britain will receive from the other powers of Europe for the approaching campaign I can assure you, sir, that your nation has nothing to fear either from Russia or Denmark, and that even Germany will furnish only a few hundred men, whom the Duke of Brunswick, the Landgrave of Hesse, and the Margrave of Anspach, in conformity with their treaties, are obliged to send annually to recruit the troops whom these princes maintain in America in the pay of England. It is with sincere satisfaction that I give you this consoling intelligence.”

Our friends in Spain had been prevailed upon to renew the order for sending you supplies, but before anything was done a suspension of it was occasioned by an American privateer making prize of a French ship coming from England with Spanish property on board. Proper measures have been taken to explain this proceeding so as to appease the complaints it excited, and I have reason to hope that we shall soon see the former good-will towards us restored, with further proofs of its sincerity.

I have mentioned the little probability our enemies have of obtaining troops for another campaign. Nor will their difficulties be less in raising supplies. Their credit falls so fast in Europe, that unless the most brilliant and effectual success of this campaign should retrieve it by rendering the conquest of America probable they can not sustain another. *Stat magni nominis umbra* may almost now be said of Great Britain; and the decisive weight—a weight derived from her connection with America in the balance of Europe which she has long held—will assuredly fail with the failure of this year's expectations.

It is with pleasure I inform you that the conduct of your generals and the bravery of your troops and seamen have entirely effaced through Europe the unfavorable impressions made at first by the scandalous

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 454; 2 A. Lee's Life, 28, under date of Nov. 30, 1777, with other variations.

† As to “winking” by Frederick, see Introduction, §§ 91, 144, 177.

reports of our enemies. At the same time there is a great desire to have authentic accounts from us, which unhappily we are not able to gratify, having received no dispatches since the retreat of the British army from the Jerseys. I have imputed it to the chances of the sea and of war and to the arduous attention of Congress to the arrangement and defense of a young government pressed on all sides by a powerful enemy. The King of Prussia is particularly anxious on this subject, as you will judge by the following extract from his minister's letter:

"The king has been surprised to learn by the letter which you have done me the honor to write to me that you have received no news from America, since the public papers are filled with different kinds of intelligence, especially respecting the entrance of General Howe into the Chesapeake Bay and the check given to Burgoyne by General Arnold. As I am persuaded the king would take pleasure in the confirmation of this last intelligence on account of the interest his majesty takes in the events which are advantageous to your cause, I shall be greatly obliged to you if you will communicate to me the authentic details on this subject as soon as they come to your hands, for it is extremely difficult to tell what degree of confidence is to be placed in relations the greater part of which is dressed up and published by the spirit of party."

I inclose you the King of Great Britain's speech to his Parliament, with remarks on it by one who was present. My private letters say the ministry are exceedingly dispirited. The following is a picture of the public, drawn by an able hand and in a high station: "This poor country is fallen into a state of lethargy, from which all efforts to rouse her are ineffectual. The single loss of Minorca drove the people of England almost to madness; now, thirteen provinces dismembered from the British Empire scarcely excite a murmur, except among the few who dare to love their country even at this disgraceful period. The parliamentary campaign will soon open, but nothing is to be expected. Corruption, like a Scotch mist, has spread over and pervades everything." It is certain that France and Spain are arming with uncommon diligence and to a great extent. The States of Holland have ordered ten men-of-war as a convoy for their West India trade, and will not permit any interruption of it by our enemies.

Yet, with these circumstances to oppose it—the impracticability of obtaining any adequate number of troops, the lowness of their credit, the probability of an European war, the carrying on of their commerce by the ships of their rivals, the impossibility of success, and, I may add with certainty, their own conviction of it—I am clear in my opinion that they will attempt another campaign, and that every man and every shilling they can procure will be devoted to the desolation of our country.

The privateer which gave so much offense by taking a French ship, *La Fortune*, with Spanish property on board, is called the *Civil Usage*. Since that, the Portsmouth privateer, from Portsmouth, Captain Hart,

has taken an English merchantman in the mouth of the Garonne. These captures have given great offense to the two courts; to remove which we have promised to warn all American captains to desist from such conduct till the pleasure of Congress is known. The following is a copy of the letter I have sent to the different ports of Spain for that purpose:

To all captains or commanders of ships of war, armed vessels, and privateers from the United States of North America:

GENTLEMEN:—Complaint having been made of violence done by American armed vessels to neutral nations, by seizing ships belonging to their subjects and under their colors, and in making captures of those of the enemy when under the protection of neutral coasts, contrary to the usage and custom of nations, this is therefore to warn and request you not to commit any such violation of the law of nations, but (according to the powers given in your commission) to confine yourselves to the capture of the enemy's vessels when not within sight of a neutral coast, and of all others whatsoever that shall be carrying soldiers, arms, ammunition, provisions, or other contraband goods to any of the British armies or ships employed against the United States; and that, in other cases, you will treat all neutral ships with the utmost kindness and friendship, for the honor of your country and of yourselves.*

There remains nothing for me to add, at present, but to assure you that I have neglected no opportunity of writing to you, and giving a full account of my proceedings in Spain and Prussia.

I have the honor to be, etc.,

ARTHUR LEE.

P. S.—*November 30.*—I have written to Spain for ten thousand blankets, to be sent to you immediately, which order, as I have also remitted the money, will, I hope, be executed.

Journals of Congress.

NOVEMBER 28, 1777.†

Congress proceeded to the election of a commissioner in the room of Silas Deane, esquire, and the ballots being taken,

John Adams, esquire, a delegate in Congress from Massachusetts Bay, was elected.

Resolved, That William Carmichael, esquire, be appointed secretary to the commissioners at the court of France.‡

DECEMBER 2, 1777.

A motion being made for obtaining a loan of money,

Resolved, That it be referred to a committee of three.

The members chosen: Mr. Folsom, Mr. Duane, and Mr. Dana.

* This letter was agreed upon by the commissioners, and sent by them conjointly, as a circular, "To the captains or commanders of all ships of war, armed vessels, and privateers from the United States of North America."

† MSS. Dep. of State; printed journals.

‡ See introduction, §§ 4*h*, 129; index, title Adams

DECEMBER 3, 1777.

The committee, to whom was referred the motion made yesterday for obtaining a loan of money, brought in their report, which was taken into consideration, whereupon Congress came to the following resolutions:

The quantity of paper money issued to defray the necessary expenses of the war having at length become so considerable as to endanger its credit, and Congress apprehending that the slow operation of taxes may not be adequate to the prevention of an evil so pernicious in its consequences, and as experience proves that the method of paying the interest by bills on France does not fill the loan offices so fast as the urgent calls of war demand:

Resolved, That the commissioners at the court of France and Spain be directed to exert their utmost endeavors to obtain, by means most effectual to the end, a loan of two millions sterling on the faith of the thirteen United States for a term not less than ten years, with permission, if practicable, to pay the same sooner if it shall be agreeable to these States, giving twelve months' previous notice to the lender of such intention to return the money.

Laurens, President of Congress, to John Adams.*

YORKTOWN, PA., November 28, 1777.

SIR: I have the honor of conveying under this cover an extract from the minutes of Congress of the present date, which certifies your election to be a commissioner at the court of France. Had Congress given direction, or if I were acquainted with precedents, a commission should have accompanied this notification. In the mean time, permit me, sir, to congratulate with the friends of America upon this judicious appointment, and to wish you every kind of success and happiness.

I have the honor to be, with very great respect and esteem, sir, your humble servant,

HENRY LAURENS,
President of Congress.

Schulenburg to A. Lee.

[Translation.]

BERLIN, November 28, 1777.

SIR: As to the commission of Mr. William Lee, the king having repeatedly declared his sentiments respecting the actual difficulties attending a commercial connection with America, notwithstanding his constant good disposition towards the Colonies, can not possibly con-

* 7 John Adams' Works, 5.

† Sparks' Dip. Rev. Corr., 457.

jecture, as circumstances have not changed, what proposition Mr. Lee can make more acceptable to his majesty, nor consequently what can be the object of his mission.

I have the honor to be, etc.,

BARON DE SCHULENBURG.*

Franklin, Deane, and Lee to Committee of Foreign Affairs.†

PASSY, November 30, 1777.

GENTLEMEN: In a former letter we acquainted you that we had engaged an officer, one of the most skillful in naval affairs that this country possessed, to build us a frigate in Holland on a new construction (drafts of which we sent you), and to go over in her to America and enter your sea-service. The frigate is almost finished. She is very large; is to carry thirty 24-pounders on one deck, and is supposed equal to a ship of the line. But the infinite difficulties we find in equipping and manning such a ship in any neutral port, under the restrictions of treaties, together with the want of supplies from you, have induced us to sell her to the king, who, by a large pension offered to our officer, has engaged him to remain in his service, and pays us what we have expended on her.

We have built a small frigate at Nantes, which we hope to get away soon, laden with supplies of various sorts. We meet with difficulties, too, in shipping arms and ammunition in her, but hope they will be surmounted. Several other vessels, some under the direction of Mr. Ross, others belonging to French merchants, are almost ready to sail for America, and we had thoughts of sending them in a little fleet, under convoy of the *Raleigh* and *Alfred*; but on consultation, considering the spies maintained by England in all the ports, and thence the impossibility of making up such a fleet without its being known so as to give time for a superior force to lie in wait for it, we concluded the chance better of their going off singly as they should be ready. In these vessels are clothes, ready made, for thirty thousand men, besides arms,

* The cynical bitterness of this note may be explained in part by irritation at the undue pressure of the Lees, and in part by the feeling that to acknowledge the United States might involve him in war with Britain, and thus surrender the neutral privileges of commerce which he in common with Russia was then trying to build up. It may be to these influences that his change of position is attributable. (See Deane to Jay, Dec. 3, 1776, with note.)

With this also may be considered the singular attitude of Arthur Lee and of his not very reliable secretary, Stephen Sayre, at the time of the theft of Lee's papers in Berlin, in June, 1777. (See Introduction, §§ 144, 193; and also Arthur Lee to commissioners, June 28, 1777, *supra*. For the letter to which the above is an answer, see *supra*, under date of Nov. 13, 1777). But the pertinacious intrusiveness of the Lees was no excuse for the cynical insolence with which they were treated by Frederick in respect both to their mission and to the barefaced larceny of their papers.

† MSS., Dep. of State, 1 Sparks' Dip. Rev. Corr., 248, with verbal changes.

cloths, linens, and naval stores to a great amount, bought by us and Mr. Ross. The private adventures also will be very considerable; and, as we shall continue our endeavors to complete your orders, we hope, if the ships have common success in passing, you will be better provided for the next campaign than you have been for any of the preceding.

How we are enabled to make these supplies must be a matter of some surprise to you, when you reflect that little or nothing from you has been received by us except what came by Captain Wickes* till now by the arrival of the *Amphitrite*, and that the seeming uncertainty of your public affairs has prevented hitherto our obtaining the loan proposed. We have, however, found or made some friends, who have helped and will, we are confident, continue to help us.

Being anxious for supporting the credit of Congress paper money, we procured a fund for payment of the interest of all the Congress had proposed to borrow, and we mentioned in several of our letters that we should be ready to pay all bills drawn for the discharge of such interest to the full value in money of France; that is, five livres for every dollar of interest due. We were persuaded that thus fixing the value of the interest would fix the value of the principal, and consequently of the whole mass. We hope this will be approved, though we have yet no answer. We can not apply that fund to any other purpose, and therefore wish to know, as soon as may be, the resolution of Congress upon it. Possibly none of those letters had reached you or your answers have miscarried, for the interruptions of our correspondence have been very considerable. Adams, by whom we wrote early in the summer, was taken on this coast, having sunk his dispatches. We hear that Hammond shared the same fate on your coast. Johnson, by whom we wrote in September, was taken going out of the channel; and poor Captain Wickes, who sailed at the same time, and had duplicates, we just now hear foundered near Newfoundland, every man perishing but the cook. This loss is extremely to be lamented, as he was a gallant officer and a very worthy man. Your dispatches, also, which were coming by a small sloop from Morris's River, and by the *Mere Bobie* packet, were both sunk on those vessels being boarded by English men-of-war.

The *Amphitrite*'s arrival, with a cargo of rice and indigo—near one thousand barrels of the one and twenty of the other—is a seasonable supply to us for our support, we not having for some time past (as you will see by our former letters) any expectations of farther supply from Mr. Morris; and though we live here with as much frugality as possible, the unavoidable expenses and the continual demands upon us for assistance to Americans who escape from English prisons, etc., etc., endangered our being* brought to great difficulties for subsistence. The freight of that ship, too, calls for an enormous sum on account of her long demurrage.

* See index, title Wickes.

We begin to be much troubled with complaints of our armed vessels taking the ships and merchandise of neutral nations.* From Holland, they complain of the taking of the sloop *Chester*, Captain Bray, belonging to Rotterdam, by two privateers of Charleston, called the *Fair American* and the *Experiment*; from Cadiz, of the taking the French ship *Fortune*, Captain Kenguen, by the *Civil Usage* privateer, having on board Spanish property; and here, of the taking the *Emperor of Germany*, from Cork, with beef, belonging to the marine of France, just off the mouth of Bordeaux River. We send herewith the papers that we have received, and answers given, relating to those captures, and we earnestly request that, if upon fair trials it shall appear that the allegations are true, speedy justice may be done and restitution made to the reclaimants, it being of the utmost consequence to our affairs in Europe that we should wipe off the aspersions of our enemies, who proclaim us everywhere as pirates and endeavor to excite all the world against us.

The Spanish affair has already had very ill effects at that court, as we learn by the return of the courier mentioned in our last. We have, by letters to our correspondents at the several ports, done all in our power to prevent such mischiefs for the future, a copy of which we herewith send you. The European maritime powers embarrass themselves as well as us by the double part their politics oblige them to act; being in their hearts our friends, and wishing us success, they would allow us every use of their ports consistent with their treaties, or that we can make of them without giving open cause of complaint to England; and it being so difficult to keep our privateers within those bounds, we submit it to consideration whether it would not be better to forbear cruising on their coasts and bringing prizes in here till an open war takes place, which, though by no means certain, seems every now and then to be apprehended on both sides; witness, among other circumstances, the recall of their fishing ships by France, and the King of England's late speech. In consequence of this embarrassed conduct our prizes can not be sold publicly, of which the purchasers take advantage in beating down the price, and sometimes the admiralty courts are obliged to lay hold of them in consequence of orders from court, obtained by the English ambassador. Our people, of course, complain of this as unfriendly treatment; and as we must not counteract the court in the appearances they seem inclined to put on towards England, we can not set our folks right by acquainting them with the essential services our cause is continually receiving from this nation, and we are apprehensive that resentment of that supposed unkind usage may induce some of them to make reprisals, and thereby occasion a deal of mischief. You will see some reason for this apprehension in the letter from Captain Babson, which we send you herewith, relating to their two prizes confiscated here for false entries, and afterwards delivered up to the En-

* See A. Lee's letter of November 27, 1777, *supra*; index, title *Privateers*.

glish, for which, however, we have hopes of obtaining full satisfaction, having already a promise of part.

The King of England's speech blusters towards these kingdoms as well as towards us. He pretends to great resolution, both of continuing this war and of making two others, if they give him occasion. Yet it is conceived he will with difficulty find men and money for another campaign of that already on his hands; and all the world sees that is not for want of will that he puts up with the daily known advantages afforded us by his neighbors. They, however, we have reason to believe, will not begin the quarrel as long as they can avoid it, nor give us any open assistance of ships or troops. Indeed, we are scarce allowed to know that they give us any aids at all, but are left to imagine, if we please, that the cannon, arms, etc., which we have received and sent are the effects of private benevolence and generosity. We have, nevertheless, the strongest reasons to confide that the same generosity will continue; and it leaves America the glory of working out her deliverance by her own virtue and bravery, on which, with God's blessing, we advise you chiefly to depend.

You will see by the papers, and a letter of intelligence from London, that the continuance of the war is warmly condemned in Parliament by their wisest and ablest men in the debates on the speech; but the old corrupt majority continues to vote, as usual, with the ministers. In order to lessen their credit for the new loans we have caused the paper which we formerly mentioned to be translated and printed in French and Dutch by our agent in Holland. When it began to have a run there the Government forbade the further publication, but the prohibition occasions it to be more sought after, read, and talked of.

The monument for General Montgomery is finished and gone to Havre, in nine cases, to lie for a conveyance. It is plain, but elegant, being done by one of the best artists here, who complains that the three hundred guineas allowed him is too little; and we are obliged to pay the additional charges of package, etc. We see in the papers that you have voted other monuments, but we have received no orders relating to them.

The *Raleigh* and *Alfred* will be well fitted and furnished with every thing they wanted, the Congress's part of the produce of their prizes being nearly equal to their demands. Be pleased to present our dutiful respects to the Congress, and assure them of our most faithful services.

We have the honor to be, etc.,

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

R. H. Lee and Lovell, Committee of Foreign Affairs, to the Commissioners at Paris.*

YORK, December 1, 1777.

GENTLEMEN: As we wish the subject of this letter to be well attended to and understood, we shall confine ourselves entirely to the business of such French gentlemen as have returned without getting employment in North America, and particularly those of Mons. Du Coudray's corps.†

Whatever may be the clamor excited by discontent, we think that a candid consideration of our circumstances and what Congress have really done will fully justify them in the eyes of reasonable men. We will observe, in the first place, that of all those who have returned not one came here at the request of Congress; that they have cost the States a very large sum of money, and that the circumstances of affairs would not permit any benefit to be drawn from them here.

It was necessary, previous to the opening of the campaign, that the affairs of the army should be arranged, officers appointed, and every thing systematically made ready for the serious business that was approaching. At this time it was not known by Congress or the commander-in-chief that such a character as Mons. Coudray (under such agreements as he brought over with him) was to visit us. The best that could be done was therefore undertaken, and General Knox, the father of the American artillery, was appointed to that command, and all the other divisions of the army were filled with major-generals. In this state of things arrived General Du Coudray, with an agreement by which he was to command the artillery, and the greatest part of the major-generals in the army, by being of older commission. A plentiful crop of resignations began presently to sprout up, and the whole army must have been deranged and thrown into confusion just in the opening of a campaign, or this agreement not accorded to in the whole.

But Mons. Du Coudray would have everything or nothing. An inflexible ambition, that paid no regard to the situation and circumstances of the army, would be gratified. This produced a scene of contention, which was not ended when the unfortunate general was drowned in the Schuylkill, going to join the army. Immediately on his death the rest of his corps would return to France, and in this disposition of their merits Congress endeavored to render things as agreeable to them as possible, having some regard to the interests of the public which they serve. It is very true that a concurrence of causes, such as the removal from Philadelphia, the time that elapsed before business was gone regularly into again, and the multiplicity of public affairs did occasion some delay in settling with these gentlemen; but this was a loss to the community more than to them, because their pay was continued to the last, and you will see by the papers inclosed that ample allowances have

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 253, with verbal changes.

† See Lovell to Washington, July 24, 1777, *supra*; as to Coudray, see introduction, § 82; as to other French officers, see introduction, § 78.

been made for their expenses to the shipping port for passage to France and travel to Paris.

It has been already observed that Mons. Du Coudray's desire could not be complied with without producing very injurious consequences. All the other officers were offered admittance into the army, according to the ranks stipulated for with Mr. S. Deane; but to avoid certain murmurs and discontent by difference of pay in the same army they were offered the pay and rations of Continental officers of similar rank. This they rejected; and when the mischief of dissimilar pay was removed by their determination to return to France they were paid their livres complete, with all their gratifications, as agreed for, their expenses and passages being also fully satisfied. Upon the whole we beg leave to refer you to the inclosed papers for more minute information in this business, where we think you will find documents sufficient to convince unprejudiced and reasonable men that Congress have done all they could, or ought in duty to the public to have done, for the entire satisfaction of these gentlemen, and we hope you will be enabled thereby to counter-obviate any ill impressions which may be attempted to be made by some of these officers; we say by some, because we believe the more reasonable among them are satisfied.

We have the honor to be, etc.,

R. H. LEE,
J. LOVELL.

R. H. Lee and Lovell, Committee of Foreign Affairs, to the Commissioners at Paris.*

YORK, December 2, 1777.

GENTLEMEN: Since ours of October the 31st the enemy have by repeated efforts at last overcome our defenses on the Delaware below Philadelphia, and we hear they have got up some vessels to the city; but we incline to think they will yet be interrupted much in their operations on the river by the chevaux-de-frize and the cold weather. We are just informed by General Gates that the garrisons of Ticonderoga and Mount Independence have destroyed the works and the buildings, and precipitately retreated across Lake Champlain to Isle Aux Noix and St. John's, taking with them only the brass artillery, powder, and provisions. The heavy stores they threw into the lake.

If the campaign should close at this period (and if it does it will be for want of clothes and blankets, for both of which we are in great distress, having received very few) the enemy will have little to boast of. They began it with two armies, one of which has been repeatedly beaten, and at length compelled to lay down its arms and surrender on terms. The other, after various chances, in which fortune more than anything else has been its protection, has at length possessed itself of Philadelphia. We say fortune has protected the army

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 254, with verbal changes.

of General Howe, and we have good reasons for saying so, when the fact is, that at the battle of Germantown the enemy were actually defeated,* and accident alone prevented a total and irreparable overthrow. It would have been otherwise had our young troops possessed that calmness of discipline and self-recollection which is habitual to veteran armies. The acquisition of Philadelphia, which Mr. Howe holds at present by a very precarious tenure, can not have cost him in the whole fewer than four thousand men since they landed at the head of the Elk, and we know they have lost two ships of war before Fort Mifflin, one a sixty-four gun ship, the other a frigate.

General Washington's army, about eighteen thousand strong, is now about fourteen miles from Philadelphia, and the enemy have fortified themselves, in the best manner they can, in and near the city, by double lines from Delaware to Schuylkill, across the common. The maneuvers about New York exhibit proofs of apprehension for the safety of that place, because the enemy have evacuated and destroyed their post at Fort Independence, above King's bridge, and have drawn in all their outposts to concentrate their strength, and secure if they can their hold of the city of New York. We hope before the opening of the next campaign to put Hudson's river into a state inaccessible to the enemy's ships of war, and thereby to render their enterprises on that quarter extremely difficult and dangerous.

We have now given you an exact account of our military situation. With respect to our civil state, we would acquaint you that Congress have passed the Confederation, and sent it to the different States, with strong recommendations to give it speedy consideration and return. Extensive taxation is also recommended, and seems to be universally adopting. You will readily imagine, gentlemen, that our extensive operations have produced great expense, as our inexperience in war has not furnished us with that systematic economy which is so necessary, and so well understood by European nations. We shall have emitted twenty-eight millions of dollars by the close of this year, exclusive of provincial currency. The quantity is too great, and of course the quality is injured. The slow operations of taxes will not afford adequate remedy, and the offer of sterling interest does not fill the loan offices so quickly as the necessary expenses call for supply. If a loan of two millions sterling could be obtained, the high exchange would enable Congress, by drawing on that fund, to call so large a quantity of paper presently out of circulation as to appreciate the rest, and give time for taxation to work a radical cure. Without this remedy of the evil very pernicious consequences may follow ere long.

Our situation is rendered still worse by the impossibility of vending such products as America has largely in store, and which are now

* "This language is too strong. As the British kept possession of the ground, they could hardly be said to have been defeated. They were attacked with spirit and for a time gave way to General Washington's army."—SPARKS.

greatly wanted in Europe, viz: tobacco, naval stores, rice, indigo, etc. The great superiority of the enemy's naval fleet makes it impossible to send those products in any quantity to sea with a tolerable prospect of safety. Thus we are prevented from sending you the four thousand hogsheads of tobacco which you have contracted for and which Congress has directed to be sent, although several thousands have, for some time past, been purchased for payment of our debts in France. The good intentions of our friends in that country are almost entirely frustrated by the exertions of the whole power of our enemies by sea to prevent our sending to or receiving from Europe anything whatever. A war in Europe would greatly and immediately change the scene. The maritime force of France and Spain, with the American cruisers, would quickly lessen the power of Great Britain in the western ocean, and make room for the reciprocal benefits of commerce between us and our friends.

We have not been favored with a line from you since the 25th of May, which we lament exceedingly, but of which we can not complain, since we doubt not but you have written, although we have not been so fortunate as to receive your letters. We had reason, from your promise, to expect a monthly packet; and this expectation prevented us from looking out so early as we should have done for a vessel or two from ——. We have heard with pleasure, by means of Mr. Carmichael, through Mr. Bingham, that Mr. Lee had successfully accomplished his business at the court of Prussia.*

We remember that you informed us the object which carried him to Berlin was, besides procuring that prince's acknowledgment of our independence, obtaining open ports for our commerce and the liberty of selling our prizes therein. We hope the interference of that powerful prince will effectually prevent Russian or German auxiliaries from being sent hither by Great Britain.

As the marine committee have already sent some, and will order more, of the Continental ships of war to France, under your directions, permit us to suggest an expedition, which appears likely to benefit us and distress the enemy. We are informed that two or three well-manned frigates, dispatched early in February, so as to arrive at the Island of Mauritius in June, being provided with letters of credence, and for such refreshments, or aid of stores, etc., as may be necessary from the minister to the French governor of that island, may go thence to cruise on the coast of Coromandel, twenty days' sail from the Island of Mauritius, where they will be in the way to intercept the China ships, besides distressing the internal trade of India. The prizes may be sold at Mauritius, and bills of exchange be remitted to you in Paris. We would observe that, in passing to Mauritius, our vessels had better call at Goree, than at the cape, to avoid the vigilance and the appre-

* "This was a mistake."—SPARKS.

That the mission of A. Lee and W. Lee were not only inoperative, but mischievous, see introduction, §§ 19, 144, 176.

hension of the British cruisers. Another beneficial attempt may be conducted along the coast of Africa. The French and Dutch settlements, and perhaps the Portuguese, will purchase the prizes, and give bills on Europe.

We think your plan of getting one of the new-constructed ships of war, equal to one of sixty-four guns, built for the use of these States in Europe is a very good one, and may be employed to very beneficial purposes. The heavy iron cannon which you propose to send will be welcome for fortifications and for vessels; and here they cost abundantly more than you can furnish them for from Europe, besides the delay in getting them, which frequently distresses us greatly; and surely your determination to supply us with materials wanted here for ship-building is very wise, since it is by marine force that the most destructive wound may be given to our enemies.

We are directed to point out proper ports into which the stores mentioned in the resolve of Congress of November 10, may be imported.* We are obliged to own that the port of Charleston, South Carolina, and those to the eastward of Rhode Island, are the only safe ones. We wish the number of manufacturers in lead and sulphur had been limited in that same resolve; but we place full confidence in your discretion. We shall be glad to receive from you, by the first opportunity, a plan of the militia of Switzerland.

We close with a desire that you will be pleased to attend to the several matters contained in our former letters, copies of which do not happen to be at hand.

We are, with much esteem, etc.,

R. H. LEE.
J. LOVELL.

* The following resolution was passed in Congress November 10, 1777:

"Resolved, That the committee of foreign affairs be directed to write to the commissioners of the United States in France and Spain to purchase and ship, on Continental account, in armed vessels, in addition to what has heretofore been ordered by Congress, five hundred tons of lead, four hundred tons of powder, one million of gun-flints, tents for fifty thousand men, and ten thousand yards of flannel for cartridges, to be sent to such ports and places as the said committee shall direct; and that the former orders of Congress, and of the commercial committee for clothing, fire-arms, equipage, brass field-pieces, salt, and other articles, and for one hundred and thirty thousand blankets, be completed as soon as may be.

"That the committee be also directed to write to the commissioners, and instruct them to contract with, and send over by different conveyances, two or three persons well acquainted with the making of gun-flints, in order to instruct persons in that business and introduce into these States so useful a manufacture; likewise, three or more proper persons, skillful in working lead mines and refining lead ore, and three or more persons skillful in the discovery of sulphur mines and manufacturing and refining sulphur."

Henry Laurens, President of Congress, to John Adams.*

YORKTOWN, December 3, 1777.

SIR: The 28th ultimo I had the honor of writing to you by the messenger, Frederick Weare, and of transmitting a vote of Congress, by which you are appointed a commissioner at the court of France. Inclosed under this cover you will find a commission executed agreeable to the order of Congress.

You have no doubt heard, or will hear before this can reach you, of the little affair which happened last week in Jersey, the attack by the Marquis de la Fayette, at the head of about four hundred militia and a detachment from Morgan's rifles, on a picket of three hundred Hessians twice re-inforced by British, in which our troops were successful, killed about twenty, wounded more, took fourteen prisoners, and chased the enemy about half a mile. We learned that General Greene, under whom the marquis had acted, had been recalled from Jersey, but it is probable, from an account received this morning in a private letter from Major Clarke, something more must have been done before he recrossed Delaware.

The major writes that from different and corroborating accounts Lord Cornwallis was killed or wounded; that in an attack made at Gloucester the enemy were beaten, left thirty dead on the field, etc., crossed the water, after having set fire to that pretty little town, by which the whole was consumed;† that the English officers, greatly enraged against the French nation, openly declare they would gladly forgive America for the exchange of drubbing the French; that General Howe had billeted his soldiers on the inhabitants of Philadelphia, two in each house, and had taken many of their blankets for the use of his light horse, which had occasioned universal discontent and murmuring among the citizens; that a ship and brig, richly laden, attempting to come up the river, had been lost among the *cheraux de frise*.

I beg, sir, you will do me the favor to present my respectful compliments to Mr. S. Adams, and to accept the repeated good wishes of, sir, your most obedient and most humble servant,

HENRY LAURENS,
President of Congress.

Lee and Lovell, Committee of Foreign Affairs, to John Adams.‡

YORK, IN PENNSYLVANIA, December 3, 1777.

DEAR SIR: With great pleasure to ourselves we discharge our duty by inclosing to you your commission for representing these United States at the court of France. We are by no means willing to admit

* 7 John Adams's Works, 5.

† "All this is incorrect. General Lafayette's own account of the affair is given in a note to General Washington's letter to the President of Congress. Sparks's *Writings of Washington*, Vol. V, p. 171."—7 J. ADAMS' WORKS, 6, note.

‡ 2 Sparks' Dip. Rev. Corr., 537; 7 J. Adams' Works, 6.

a thought of your declining this important service, and therefore we send duplicates of the commission, and the late resolves, in order that you may take one set with you and send the other by another vessel.

These are important papers, and therefore we wish they may be put into the hands of a particular and careful person, with directions to deliver them himself into the hands of the commissioners. Mr. Hancock, before he left this place, said that he intended to send a gentleman to France on some particular business. Can not we prevail to get this gentleman to undertake the delivery of our packet to the commissioners, they paying the expenses of travel to Paris and back again to his place of business?

It is unnecessary to mention the propriety of directing these dispatches to be bagged, with weight proper for sinking them, on any immediate prospect of their otherwise falling into the enemy's hands.

We sincerely wish you a quick and pleasant voyage, being, truly, your affectionate friends,

R. H. LEE.

JAMES LOVELL.

Arthur Lee to Dr. Berkenhout.*

PARIS, December 3, 1777.

SIR: My last might serve as an answer to yours. We have powers to receive, but not to make overtures. *Voilà la difference.* We have as much dignity, and I hope more reason on our side. If they therefore stay for overtures from us, I promise you they will not receive them till their faith can move our mountains. I hoped something from this negotiation, and therefore more willingly lent myself to it; but I now see too well their abundant pride and folly to think the public will derive any advantage from it. They are determined to make us a great people, by continuing a contest which forces us to frugality, industry, and economy, and calls forth resources which, without such necessity, would never have been cultivated. I have long thought that if they intended us the benefits their conduct will bring us, we should owe them statues of gold. As you love me, do not fail endeavoring to learn to whom I am indebted for reporting the difference between Dr. Franklin and me which you mention. It concerns me infinitely to know it. Adieu.

ARTHUR LEE.

* *Sparks' Dip. Rev. Corr.*, 458.

"Dr. Berkenhout had been formerly a friend of Arthur Lee in London, and was employed by the government as a secret agent, to endeavor to obtain from the commissioners in Paris the terms of an accommodation with England."—SPARKS.

As to Berkenhout, see introduction, § 150, § 204.

R. H. Lee, et al., Committee of Foreign Affairs, to Deane.*

YORK, IN PENNSYLVANIA, December 4, 1777.

SIR: In compliance with the order of Congress, we now inclose you their resolve of November 21 last; a duplicate goes by another opportunity.

We are, sir, etc.,

R. H. LEE.
J. LOVELL.

Journals of Congress.

DECEMBER 8, 1777.†

Whereas it is of the greatest importance that Congress should at this critical conjunction be well informed of the state of affairs in Europe, and whereas, Congress have resolved that the honorable Silas Deane esq., be recalled from the court of France, and have appointed another commissioner to supply his place there:

Ordered: That the committee for foreign affairs write to the honorable Silas Deane, esq., and direct him to embrace the first opportunity of returning to America, and upon his arrival to repair with all possible dispatch to Congress.‡

Lovell to Deane.§

YORK, December 8, 1777.

SIR: By accident I find myself called upon singly to execute the duty of the committee of foreign affairs, in communicating to you an order of Congress of this day respecting your return to America.

The order stands in need of no comment from the committee to elucidate it; and being drawn up in terms complimentary to your abilities of serving these United States upon your arrival here, I take pleasure in conveying it,

Being, sir, your very humble servant,

JAMES LOVELL.

Franklin, Deane, and Lee to Vergennes.||

PARIS, December 8, 1777.

SIR: The commissioners from the Congress of the United States of North America beg leave to represent to your excellency that it is near a year since they had the honor of putting into your hands the propo-

* 1 Sparks' Dip. Rev. Corr., 87.

† MSS. Dep. of State; printed journals of Congress.

‡ See introduction, § 159 ff.

§ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 87.

|| 1 Sparks' Dip. Rev. Corr., 459.

sitions of Congress for a treaty of amity and commerce with this kingdom, to which, with sundry other memorials, requesting the aid of ships of war and offering engagements to unite the forces of the said States with those of France and Spain in acting against the dominions of Great Britain, and to make no peace but in conjunction with those courts if Great Britain should declare war against them, to all which they have received no determinate answer; and apprehending that a continuance of this state of uncertainty with regard to those propositions, together with the reports that must soon be spread in America of rigorous treatment met with in the ports of these kingdoms may give advantage to our enemy in making ill impressions on the minds of our people, who from the secrecy enjoined on us can not be informed of the friendly and essential aids that have been so generously but privately afforded us, the commissioners conceive that, the present circumstances considered, the completing of such a treaty at this time must have the most happy effect in raising the credit of the United States abroad and strengthening their resolution at home, as well as discouraging and diminishing their internal enemies and confirming their friends who might otherwise waver. And the commissioners are further of opinion that the aid of ships desired might at this juncture be employed with great advantage to America, which, when honored with a conference, they can more particularly explain. They therefore request your excellency most earnestly to resume the consideration of those affairs, and appoint them some speedy day of audience thereupon.

They pray also that their grateful acknowledgments may be presented to the king for the additional aid of three millions, which he has been graciously pleased to promise them; and that his majesty may be assured, whatever engagements they may enter into in behalf of the United States, in pursuance of the full powers they are vested with, will be executed with the most punctual good faith by the Congress, who, believing their interests to be the same, and that a sure increase of the commerce, wealth, and strength of France and Spain will be one consequence of their success in this contest, wish for nothing so much, after establishing their own liberty, as a firm and everlasting union with those nations.

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

A. Lee to Committee of Foreign Affairs.*

PARIS, December 8, 1777.

GENTLEMEN: Since my last to you, I have seen your dispatches of the 6th of October. The answer relative to the Havana will be obtained as soon as possible; but I think such a connection will in a short time

* MSS. Dep. of State: 1 Sparks' Dip. Rev. Corr., 458.

take place between the two countries as will put that matter out of all doubt.

I received yesterday a letter from the Messrs. Gardoqui, at Bilboa, containing the following passage:

"Our worthy friend, Elbridge Gerry, thinking that the goods shipped per Captain Hodges to his address were on his account, he wrote us that he would place the amount thereof to our credit; but as we have answered him that this remittance, as well as the rest that followed through the same channel, were on account of Congress, and of consequence out of our power, as he will have seen by the sundry letters written to him since, we doubt not that he will of consequence conform thereto; and we assure you that in future all possible means will be used to prevent mistakes of this kind."

By a letter from Holland we are assured that the King of Prussia has announced to the States his having refused a passage through his territories to German troops hired by Great Britain.* The West India fleet from Amsterdam, etc., is to be convoyed by six men of-war. I can not be more explicit than to assure you that the prospect of our enemies is as gloomy here as with you, and that I am not mistaken in what I formerly wrote you, that the confirming our independence would be matter of serious consideration among the powers of Europe this winter.

I have remitted Mons. Gardoqui money for ten thousand blankets, which he promises to send with all possible expedition.

I have the honor to be, etc.,

ARTHUR LEE.

POSTSCRIPT TO DISPATCH OF DECEMBER 8, 1777. †

Our joint dispatches will inform you of the forwardness in which things are here towards the desired conclusion. In three weeks we shall hear from Spain, and all will I hope be settled. The late intelligence from America has staggered and confounded our enemies as much as it has elated and decided our friends. Should they at length resolve to continue in rage and despair what they commenced in wickedness and folly, and venture upon a general war, by which they must be overwhelmed, their principal efforts will be pointed against us, unless your being in a respectable state of preparation should deter them. In that case they will probably confine themselves to a piratical coasting war, and preying upon our commerce. I have directed all the naval stores that are collected at Bilboa to be shipped forthwith the moment the court of Spain agrees to furnish the money. To accelerate this, I proposed to my colleagues to remit the money from our funds here, but they did not think it advisable.

* See introduction, § 90;

† MSS. Dep. of State: I Sparks' Dip. Rev. Corr., 465, under date of Dec. 19, 1777, and with other verbal changes.

Should Congress want any person to serve them in a public character in Europe, I am authorized to say that Edmund Jennings, now in London, will obey their commands. His abilities, attachment, and respectable character are well known. It has also fallen very particularly within my knowledge that Mr. Thomas Digges,* of Maryland, has exerted himself with great assiduity and address in gaining intelligence and doing other services in England.

ARTHUR LEE.

A. Lee to D'Aranda.[†]

PARIS, December 9, 1777.

SIR: I have the honor of inclosing to your excellency a copy of a memorial presented to his excellency Count de Vergennes by the commissioners of Congress for this court. The knowledge I have of the great veneration entertained by the United States for the King of Spain and affection for the people enables me to assure your excellency that nothing will give them greater joy than the happy conclusion of a firm and lasting treaty of amity and commerce between the two nations.

Permit me, therefore, to hope that your excellency will co-operate with the favorable disposition of this court in bringing the treaty formerly proposed to a speedy conclusion.

I have the honor to be, with the highest consideration and respect, etc.,
ARTHUR LEE.

A. Lee to Schulenburg.[†]

PARIS, December 11, 1777.

SIR: I have the honor of inclosing to your excellency a detail of the operations in the north in addition to what I sent on the 4th. Since that time I have been honored with yours of the 28th of November.

I have apprised my brother, the commissioner of his majesty's pleasure. He desires me to say that whenever the king thinks his coming to Berlin will be of any utility he hopes your excellency will inform him of it. Till that time arrives he would not wish to give trouble or excite suspicions by coming even in a private character.[‡] We have heard reports of his majesty's gracious interposition relative to the march of troops hired against us, which I hope are well founded.

I have the honor to be, etc.,

ARTHUR LEE.

*As to Digges' bad character, see introduction, § 206; index, title Digges. He was, if not a British spy, an embezzler of money placed in his hands for relief of soldiers.

[†]1 Sparks' Dip. Rev. Corr., 461.

[‡]That W. Lee had been refused, in terms singularly cynical, permission to visit Berlin, see Schulenburg to A. Lee, Nov. 28, 1777, *supra*; introduction, *supra*, §§ 19, 178.

Franklin to Sir Grey Cooper.

PARIS, December 11, 1777.

DEAR SIR: Receiving frequent accounts by American prisoners, who have escaped from your jails, of the miserable situation and hard treatment of their countrymen at Portsmouth and Plymouth, we have prevailed with a gentleman (Major Thornton, to us much a stranger, but who appears a man of humanity) to visit the prisons there, and give from us some relief to those unfortunate men. I hope that through your interest he may obtain a permission for that purpose. I would have wished that some voluntary act of compassion on the part of your government towards those in your power had appeared in abating the rigors of their confinement and relieving their pressing necessities, as such generosity towards enemies has naturally an effect in softening and abating animosity in their compatriots and disposing to reconciliation. This, if I had any influence with your ministers, I should recommend as prudent, being what would at least secure a continuance of that kind usage your people when our prisoners have always experienced with us. Mr. Thornton is charged with a letter to Lord North, which I request you would procure him an opportunity of delivering and endeavor to obtain an answer. Perhaps it may not be thought proper to give any, but I am sure it will not be an insolent one like that from Lord Stormont to a similar application. The remembrance of ancient friendship encourages me to this request; if 'tis too much, you can prevent a repetition of it by making no reply.

With my affectionate respects to Lady Cooper, and love to my former young friends, I am ever, dear sir, your most obedient servant,

B. F.*

Franklin, Deane, and Lee to Lord North.[†]

PASSY, December 12, 1777.

MY LORD: From motives of duty, and an earnest desire of mitigating the calamities of war, we proposed, near a year since, to the King of Great Britain's ambassador here, an exchange of prisoners in Europe. The answer we received must have been made known to your lordship, and the world will judge of its decency. It would have been honorable for that noble lord, and happy for thousands who have since suffered unnecessarily, if he had considered that moderation is a mark of wisdom and humanity an ornament of the highest station. These are the sentiments at least which have governed the Congress and people of the United States. They have wished that this war, into which they entered with reluctance, might be distinguished by the humanity with which it was conducted, and that compassion might heal the wounds

* See index, title Prisoners.

† Sparks' Dip. Rev. Corr., 461.

that were inflicted. The records of Congress, my lord, are filled with proofs of tender care and attention not only to the wants, but to the comforts and accommodation, of their prisoners.

We have wished in vain to find such instances in the acts of the British Government; for, unhappily, all we have seen on this subject is the public declaration of the governor and general who was chosen to commence this war, that the American officer and soldier should be treated with equal indignity, and all devoted without distinction to the most ignominious fate, in terms too low for us to repeat. We have never heard of this proceeding having been censured by the government from which he derived his authority. Neither has the invitation to the Indian savages, at a public treaty, to drink the blood and feast upon the bodies of those whom you called your subjects, been ever disavowed.

It is a universal complaint that the practices of those in authority under you have been conformable to the principles of those public acts. Colonel Parker, a gentleman of rank, was thrown into a common jail, in Boston, covered over with wounds, where he perished unpitied for want of the common comforts which his situation and humanity required. Colonel Ethan Allen was dragged in chains from Canada to England, from England to Ireland, and from Ireland to Carolina, and from thence to New York, at a time when the officers taken from you in the same expedition were treated not only with lenity, but with every possible indulgence. The barbarous treatment of Mr. Lovell, in Boston, has no parallel. Of the prisoners made in Fort Washington, two-thirds of them perished by the unexampled cruelty and rigors of their captivity. Even in England, the severities which the American prisoners suffer are, according to the testimony of every one we have seen, of the most grievous kind. Stripes have been inflicted on some to make them commit the deepest of all crimes, that of fighting against the liberties of their country; and numbers are now groaning in bondage in Africa and India, to which they are compelled by menaces of an immediate and ignominious death, as contrary to every rule of war among civilized nations as to every dictate of humanity.

It is with the greatest regret we mention these cruelties. For the honor of humanity we hope they will not be committed again. Your lordship must know that it is in the power of those we have the honor to represent to make ample retaliation upon the numerous prisoners of all ranks in their possession; and we warn and beseech you not to render it their indispensable duty. Upwards of five hundred British seamen have been generously treated, set at liberty by our cruisers in those seas, and sent at the public expense to their country. We trust you will think yourselves bound to dismiss an equal number of seamen taken in the service of the United States.

We also desire that a person appointed by us may have permission to furnish the citizens of the United States who are in your prisons with the necessaries they may want from time to time; and that a general

cartel may be immediately settled, by which the unfortunate on both sides may be relieved as soon as possible from the miseries of imprisonment.

We must beg a speedy answer, that we may transmit without delay the determination of your court to our constituents.

We have the honor to be, with the highest respect, my lord, your lordship's obedient servants,

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

A. Lee to Shelburne.*

PARIS, December 14, 1777.

MY LORD: I have the honor of inclosing to you a copy of a letter transmitted at the same time to the first lord of the treasury. The honor of the nation and the rights of humanity are too much interested in the object of it not to receive your lordship's advocation.

The inclosed papers contain the principal transactions between the northern armies. The burning of defenseless towns and of every thing before him, as General Clinton has done, will probably draw upon him and his government the vengeance which such enormities deserve in spite of all the endeavors of Congress to prevent any hasty retaliation. The South Carolina Gazette mentions the arrival of an American captain, who had been taken by Captain Jarvis, and who mentions with the highest praise the generous and humane treatment he received from that officer. We have had from other prisoners accounts equally to his honor, which I am sure will give your lordship pleasure. Captain Jarvis may be assured that such conduct will command from us the praise and esteem which are always due to a generous enemy.

The necessity which has made us enemies for a time, and separated us forever from the same government, has not altered the esteem I felt for the good and wise in England. Among those I hope your lordship and your friends will accept an assurance of my respect and friendship. I condole most sincerely with the family at Combwood for the misfortune at New York.

I have the honor to be, with the greatest respect and esteem, your lordship's humble servant and friend,

ARTHUR LEE.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 463, with verbal changes.

Dumas to Committee of Foreign Affairs.*

DECEMBER 16, 1777.

GENTLEMEN: I congratulate you and the honorable Congress, and all United America, with all my heart. This news (Burgoyne's capture) has made the greatest possible sensation in this country; a deep consternation among those who have all their interest in England; a marked joy among those who hate your enemies. My correspondent at Amsterdam writes thus:

Many thanks for the prompt advice of the affair so glorious for our friends. Letters from England received here this morning confirm it entirely. All was in motion to-day in our *cafés* and on the exchange. The royalists here are entirely depressed, and even fear the like catastrophe for General Howe if he hazard himself further into the country.

This news has made an astonishing impression everywhere; all is considered lost to the English.

DECEMBER 19.

I have received advice from my correspondents, to whom I had forwarded packets according to your orders, by which they inform me, under date of 26th of September and 18th of October, of having received and forwarded my packets for you. My correspondent at Amsterdam who transmitted them to me has pointed me to the following passage:

The anti-Americans are not yet recovered from their fright; they see the Americans at present with a different eye, and desire strongly that the ministry may be changed, that by mild means we may obtain peace as favorable as possible.

Another writes from Rotterdam:

I received on the 11th the account of the victory of General Gates. It was pulled out of my hands. I pray you, as soon as you receive advice that Howe has done as well as Burgoyne, to let me have the great pleasure of knowing it first, that I may regale many persons with the news. You can not think what a bustle there is yet in all companies and *cafés* about this affair, and how they fall on the English ministers.

We have confirmation from Germany of the increasing obstructions which the levying of recruits against America meets with.

I this moment learn that the States-General have dispatched messengers of state extraordinary to all the provinces; and it can not be doubted that the contents of their dispatches, which are kept secret, relate only to the catastrophe which the English have suffered in America, and to the consequences which it is presumed it will have, as well on this side of the ocean as on the other.

I have the honor to be, etc.,

DUMAS.

* 5 Sparks' Dip. Rev. Corr., 241.

Franklin, Deane, and Lee to the Committee of Foreign Affairs.*

PARIS, December 18, 1777.

GENTLEMEN: Since our last, of November 30—a copy of which is here-with sent you—we received your dispatches of October 6, from York-town. They came to us by a packet from Boston, which brought the great news of Burgoyne's defeat and surrender—news that apparently occasioned as much general joy in France as if it had been a victory of their own troops over their own enemies—such is the universal, warm, and sincere good-will and attachment to us and our cause in this nation.†

We took the opportunity of pressing the ministry by a short memorial to the conclusion of our proposed treaty, which had so long lain under their consideration and been from time to time postponed. A meeting was had accordingly on Friday, the 12th instant, in which some difficulties were mentioned and removed; some explanations asked and given to satisfaction. As the concurrence of Spain is necessary, we were told that a courier should be dispatched the next day to obtain it, which we are since assured was done; and in three weeks from the time the answer is expected.

On signifying to the ministry the importance it might be of at this juncture—when probably Britain would be making some propositions of accommodation—that the Congress should be informed explicitly what might be expected from France and Spain, M. Gerard, one of the secretaries, came yesterday to inform us, by order of the king, that after long and full consideration of our affairs and propositions in council it was decided, and his majesty was determined, to acknowledge our independence, and make a treaty with us of amity and commerce; that in this treaty no advantage would be taken of our present situation to obtain terms from us which otherwise would not be convenient for us to agree to; his majesty desiring that the treaty, once made, should be durable, and our amity subsist forever, which could not be expected if each nation did not find its interest in the continuance, as well as in the commencement of it. It was therefore his intention that the terms of the treaty should be such as we might be willing to agree to if our State had been long since established and in the fullness of strength and power, and such as we shall approve of when that time shall come; that his majesty was fixed in his determination not only to acknowledge, but to support our independence by every means in his power; that in doing this he might probably soon be engaged in war, with all the expenses, risk, and damage usually attending it, yet he should not expect any compensation from us on that account, nor pretend that he acted wholly for our sakes; since, besides his real good will to us and our cause, it was manifestly the interest of France that the power of Eng-

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 259, with verbal changes.

† See introduction, § 44-47, index, titles France, Franklin, Vergennes.

land should be diminished by our separation from it. He should, moreover, not so much as insist that if he engaged in a war with England on our account we should not make a separate peace; he would have us be at full liberty to make a peace for ourselves whenever good and advantageous terms were offered to us. The only condition he should require and rely on would be this: that we, in no peace to be made with England, should give up our independence and return to the obedience of that government; that as soon as the courier returned from Spain with the concurrence expected the affair would be proceeded in and concluded; and of this we might give the Congress the strongest assurances in our dispatches, only cautioning them to keep the whole for the present a dead secret, as Spain had three reasons for not immediately declaring: her money fleet not yet come home, her Brazil army and fleet the same, and her peace with Portugal not yet quite completed; but these obstacles would probably soon be removed.

We answered, that in what had been communicated to us we perceived and admired equally the king's magnanimity and his wisdom; that he would find us faithful and firm allies, and we wished, with his majesty, that the amity between the two nations might be eternal. And mentioning that republics were usually steady in their engagements—for instance, the Swiss cantons—the secretary remarked that France had been as steady with regard to them, two hundred years having passed since their first alliance for fifty years had commenced, which had been renewed from time to time; and such had been her uniform good faith toward them, that, as it appeared in the last renewal, the Protestant cantons were free from their ancient prejudices and suspicions, and joined readily with the rest in the league, of which we here-with send you a copy.*

It is some time since we obtained a promise of an additional aid of three millions of livres, which we shall receive in January. Spain, we are told, will give an equal sum; but finding it inconvenient to remit it here, she purposed sending it from the Havana, in specie, to the Congress. What we receive here will help to get us out of debt. Our vessels, laden with supplies, have by various means been delayed, particularly by fear of falling into the hands of the British cruising ships, who swarm in the bay and channel. At length it is resolved that they shall sail together, as they are all provided for defense; and we have obtained a king's ship to convoy them out of the channel, and we hope quite to America. They will carry, we think, to the amount of seventy thousand pounds sterling, and sail in a few days.

Also, in consideration of the late frequent losses of our dispatches, and the importance of the present, we have applied for, and obtained, a frigate to carry them.

These extraordinary favors—of a nature provoking to Great Britain—

* This is not in the department papers

are marks of the sincerity of this court, and seem to demand the thanks of the Congress. We have accepted five bills drawn on us by the President in favor of some returned officers, and shall pay them punctually. But as we receive no remittances for our support, and the cargo in the *Amphitrite* is claimed from us by M. Beaumarchais, and we are not certain that we can keep it, we hope Congress will be sparing in their drafts, except for the interest mentioned in our former letters, of which we now repeat the assurances of payment; otherwise we may be much embarrassed and our situation rendered very uncomfortable.

It is said the French ambassador at London has desired to be recalled, being affronted there, where the late news from America has created a violent ferment. There is also a talk here of Lord Stormont's recall. The stocks in England fall fast; and on both sides there is every appearance of an approaching war. Being informed by the concurring reports of many who had escaped that our people, prisoners in England, are treated with great inhumanity, we have written a letter of expostulation on that subject to Lord North, which is sent over by a person express, whom we have instructed to visit the prisons (and, under the directions of Mr. Hartley,) to relieve as much as may be the most necessitous. We shall hereafter acquaint you with the result.

The expenses we are put to by those who get to us are very considerable. The supplies now going out from hence, and what we have sent and are sending from Spain, though far short of your orders (which we have executed as far as we are able), will, we hope, with private adventures encouraged by us and others, put you into pretty good circumstances as to clothing, arms, etc., if they arrive, and we shall continue to send as ability and opportunity may permit.

Please to present our duty to the Congress, and believe us, with sincere esteem, etc.,

B. FRANKLIN.

SILAS DEANE.

ARTHUR LEE.

W. Lee to Thompson.*

PARIS, December 18, 1777.

SIR: Inclosed is a copy of what I did myself the honor of writing to you per the *Independence*, Captain Young. Be pleased to inform the honorable Congress that since upon application being made to his Prussian Majesty he has prevented the Hesse and Hanau recruits, for re-enforcing the British army in America, from passing through his territories on the Rhine, which has kept those troops still in Germany, which otherwise would, by this time, have been on their voyage to America; and it is now doubtful whether they will ever be permitted

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 595, with omissions and verbal changes.

to go. Our friends at court here are of opinion it will be better for me to visit the court of Vienna first, as it may be of use to strengthen and unite all the branches of the family compact in the measures they have determined to take here in our favor; therefore, as soon as the ceremony (which is a pretty essential one) of *signing* and *sealing* has taken place, I shall set out for Vienna, as it is thought most advisable to wait till something decisive is absolutely concluded with the court of Versailles, because on *that* must be grounded my operations at Vienna and Berlin.

With respect to the latter, trade must be the principal object, though his friendship will be of use to keep Russia quiet, and to prevent Great Britain from getting any material aid from that quarter in case of a Europeau war, while she is mad enough to continue the war with America. Nothing material relative to commerce can be effected in the north till late in the spring, because their ports are all frozen up during the winter. His Prussian Majesty seems well disposed to our cause, and I trust will give us every encouragement in time that we can wish; but in a country where there is very little foreign commerce, it must be raised gradually and by experimental conviction of its benefits.* To me it seems evident that the commerce between America and the Prussian dominions must be considerable, because the natural productions of the first will come to as good a market in the latter as almost any part of Europe; [and a great many of the manufactures and productions of]† the latter are what we have been heretofore obliged to get from England ‡. I shall omit no safe opportunity of informing Congress of my proceedings; and with due consideration and regard,

I am, sir, etc.,

WILLIAM LEE.

Izard to Committee of Foreign Affairs.§

PARIS, December 18, 1777.

GENTLEMEN: Since my letter of the 6th of October I have cultivated an intimacy with the Tuscan minister resident at this court. He is a man of honor, of considerable abilities, and extremely friendly to our country. I proposed to him that I should immediately set out for Italy, and desired his opinion and advice. He dissuaded me from executing my intentions for the present, assured me of the good disposition of the grand duke towards us, and promised me to use his utmost endeavors to promote our interest with him. He thought that my

* See, as to the reception of W. Lee in Berlin, Schulenburg to A. Lee, Nov. 28, 1777; introduction, §§ 19, 178.

† Passage in brackets omitted in Sparks' ed.

‡ That this view of the position of Prussia was founded on an entire illusion, see introduction, § 90.

§ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 649.

presence at this time might produce some embarrassment at his court, which would not long be the case.* He is since gone to Florence, and I am convinced that no services that he can render the States will be withheld.

This gentleman is a great favorite, and I am well assured is more in the confidence of the grand duke than any of his ministers. I flatter myself, therefore, that I have acted according to the wishes of Congress in conforming to his advice. I have repeatedly pressed him on the subject of the German troops, recommended to me by Congress, and he has done everything I could wish him to do. I have the satisfaction to learn that the King of Prussia has refused to let a body of Germans, intended for America, pass through his dominions, and it is said that he was induced to take this step at the desire of the emperor. I expect letters very soon from Florence, which will regulate my conduct. Everything in my power has been done to execute the trust that has been reposed in me by Congress; and it will make me extremely happy, whenever an opportunity offers, of rendering any service to my country.

The irresolute and indecisive state of the polities at the court of France, has for some time kept all Europe in suspense. The late success of our arms against General Burgoyne has given a fortunate turn to our affairs in this kingdom, and the conduct of the French ministry has confirmed me in an opinion I have long had, that the establishment of our liberties must depend upon our own exertions. One successful battle will gain us more friends, and do our business more effectually, than all the skill of the ablest negotiators. I repeat my request, that I may be furnished from time to time with the proceedings and resolutions of Congress, and likewise with the state of affairs in America, which will be highly useful to me.

I am, etc.,

RALPH IZARD.

Schulenburg to Lee.

[Translation.]

BERLIN, December 18, 1777.

SIR: A few days after the departure of my last, of the 13th instant, in which I requested you to give me authentic intelligence concerning the progress of General Howe, of which the English ambassador had

* Izard must have mistaken expressions of friendliness from Niccoli for political predictions. Nothing could have been more unlikely than that Tuscany, under an absolutist prince, and under peculiar dread of England, should receive an American envoy during the war; and, even if she had, her insolvency would have prevented a loan. (See introduction, § 97a.) One of the saddest incidents in our Revolution is that Congress should have been induced to keep at Paris (for he never went further) a minister at a first-class salary to a court where his reception was out of the range of political probability.

† 1 Sparks' Dip. Rev. Corr., 464.

received an account, I learned by the letter you did me the honor to write on the 4th of this month that these advantages, far from being so considerable as they were thought to be, are more than balanced by the surrender of General Burgoyne, and by the liberty which the troops under Arnold will have of acting where they shall be most wanting, which may very much harass General Howe.

I am much pleased, sir, with these favorable events, and as from the situation in which affairs were when your dispatches were sent, other events of consequence are to be expected before the end of the campaign, or even during the winter, I hope you will continue to communicate, without delay, all the authentic advices you may receive.

The king, who always graciously receives the news you send me, and expresses his satisfaction when it is in your favor, has seen the passage of your brother's letter, and I can assure you, sir, that his majesty will not be the last power to acknowledge your independency; but you must feel yourself that it is not natural that he should be the first, and that France, whose commercial and political interests are more immediately connected with yours, should set the example.

I have the honor to be, with distinguished consideration, sir, your very humble servant,

BARON DE SCHULENBURG.*

Franklin to Lovell.†

PARIS, December 21, 1777.

SIR: I see in a vote of Congress, shown me by Captain Franval, that Dr. Deane is disowned in some of his agreements with officers.‡ I, who am upon the spot and know the infinite difficulty of resisting the powerful solicitations of great men, who, if disobliged, might have it in their power to obstruct the supplies he was then obtaining, do not wonder that, being then a stranger to the people and unacquainted with the language, he was at first prevailed on to make some such agreements, when all were recommended, as they always are, as *officiers expérimentés, braves comme leurs épées, pleins de courage, des talents, et de zèle, pour notre cause, etc., etc.*; in short, mere Cæsars, each of whom would have been an invaluable acquisition to America. You can have no conception how we are still besieged and worried on this head, our time cut to pieces by personal applications, besides those contained in dozens of letters by every post, which are so generally refused that scarce one in a hundred obtains from us a simple recommendation to civilities.

I hope, therefore, that favorable allowance will be made to my worthy colleague on account of his situation at the time, as he has long since

* See Introduction, § 90.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 21; 6 Bigelow's Franklin, 117.

‡ See index, titles Deane, Officers.

corrected that mistake and daily approves himself, to my certain knowledge, an able, faithful, active, and extremely useful servant of the public; a testimony I think it my duty to take this occasion of giving to his merit unasked, as, considering my great age, I may probably not live to give it personally in Congress, and I perceive he has enemies.

You will see the general news in the papers in particular. I can only say at present that our affairs go well here, and that I am, with much respect, sir, etc.,

B. FRANKLIN.*

Adams to Laurens, President of Congress.†

BRAINTREE, December 23, 1777.

SIR: Having been absent on a journey I had not the honor of receiving your letters until yesterday, when one of the 28th of November, inclosing a resolution of Congress of the same day and another of the 3d of December, inclosing a commission for Dr. Franklin, Dr. Lee, and myself to represent the United States at the court of France, were delivered to me in Boston.

As I am deeply penetrated with a sense of the high honor which has been done me in this appointment, I can not but wish I were better qualified for the important trust; but as Congress are perfectly acquainted with all my deficiencies, I conclude it is their determination to make the necessary allowances, in the humble hope of which I shall submit my own judgment to theirs, and devote all the faculties I have, and all that I can acquire, to their service.

You will be pleased to accept of my sincere thanks for the polite manner in which you have communicated to me the commands of Congress, and believe me to be, with the most perfect respect and esteem, etc.,

JOHN ADAMS.

Schulenburg to A. Lee.

[Translation.‡]

BERLIN, December 23, 1777.

SIR: I received the letter which you did me the honor to write to me the 11th of this month, and I give you many thanks for the detail of operations in the north of America which you were so kind as to add. I will not fail to acquaint Mr. William Lee, as soon as the king shall judge that his arrival at Berlin can be of mutual utility; and I assure

* See *infra*, Franklin to the President of Congress, March 31, 1778.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 538; 7 J. Adams' Works, 7.

‡ 1 Sparks' Dip. Rev. Corr., 466.

you, sir, that the information which you have had, that his majesty has refused a passage to the auxiliary troops of Germany destined for America, is strictly true.

I have the honor to be, etc.,

BARON DE SCHULENBURG.

Franklin, Deane, and Lee to Messrs. Berard Frères.*

PASSY, December 24, 1777.

GENTLEMEN: Mr. de Beaumarchais having satisfied us that he had a prior claim upon the cargo of the *Amphitrite*, according to an agreement between him and Mr. Deane, we desire you to deliver the cargo or the produce into his hands, or into those of his agents, at his disposition, with any deduction for the advances you may have made on account of the frigates.

We are,

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.†

Adams to Committee of Foreign Affairs.‡

BRAINTREE, December 24, 1777.

GENTLEMEN: Having been absent from this State, I had not the honor of your favor of December 3 until the 22d, when it was delivered to me, with its inclosures, viz: a letter from the President to the navy board at Boston, and a private letter of December 8, from Mr. Lovell. At the same time I received a packet directed to Benjamin Franklin, Arthur Lee, and John Adams, commissioners of the United States of America in France, under seal. I also received a packet unsealed, containing—

(1) Copy of a letter dated the 2d of December from the committee of foreign affairs to the commissioners.

(2) A duplicate of a commission of the 27th of November, to the commissioners.

(3) A duplicate of a resolve of December 3, duplicates of resolves of November 20 and 21, and duplicates of resolves of November 10 and 22.

(4) Two letters unsealed, to Silas Deane, Paris.

(5) Two printed handbills, one containing messages, etc., between the Generals Burgoyne and Gates; the other a copy of a letter, etc., from Mr. Strickland. The packet under seal I shall do myself the

* R^ep. No. 220, Twentieth Congress, first session, vol. 3, p. 44.

† See index, Beaumarchais.

‡ MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 538; 7 John Adams' Works, 8.

honor to forward by the first conveyance, and the other shall be conveyed, God willing, with my own hand.

I have the honor to be, with the greatest esteem, etc.,

JOHN ADAMS.

R. Morris to H. Laurens.*

DECEMBER 26, 1777.

[In this letter only such parts are given as relate to Thomas Morris's relations to the American ministers in France.]

Mr. Thomas Morris and myself are descended from a father whose virtue and whose memory I have ever revered with the most filial piety. Our mothers were not the same, and this youth was born after our father's decease, without any sufficient provision made for his maintenance. The tender regard I bore to the parent I determined when very young to extend to his offspring, and no sooner had I fixed myself in the world than I took charge of this brother. I gave him the best education that could be obtained in Philadelphia, and took as much care of his morals as my time and capacity enabled. When he was arrived at a proper age I took him into my counting-house to instruct him in the profession from which he was to draw his future support. In this situation he remained about three years, during which time he discovered on all occasions a good understanding, sound judgment, and clear head, with remarkable facility in dispatching business. His behavior was then modest and innocent, his heart pure, and he possessed a mind strongly actuated by principles of honor; at least these were the opinions I had formed and such was the character he bore amongst his own acquaintance; from hence I formed the most pleasing expectation, and saw but one source from whence any reverse could spring. This was a fondness he early discovered of being the head of his company, a disposition more dangerous to youth than any other, and which in fact has been his ruin. This it was that first led him to seek improper company, who, readily granting him the pre-eminence he delighted in, soon carried him into the practice of their follies and vices. When I discovered this to be the case, and found that advice had not its proper weight, and thinking frequent exercise of authority might be dangerous, I fell on the expedient of sending him to Spain (in order to break off his connection with worthless companions), and there placed him in an eminent counting-house, where he gained much knowledge and experience, and where he acquired the French and Spanish languages so as to write and speak both with great fluency. At a proper season I recalled him to America, and took him a partner in our house, promising myself assistance and relief from his abilities and *expected* assiduity, and for some time had great satisfaction in him; but un-

* Morris's Materials for History, 78; 2 Parton's Franklin, 259.

fortunately his former associates found him out and again led him astray.

At this period the commercial business of America was interrupted by certain resolutions of Congress, and, fearing that idle time and these associates would bring him to ruin, I determined on sending him to Europe well recommended, with money in his pocket, in hopes to open his mind, extend his ideas, and give him a habit of keeping and seeking good company. He traveled through Spain, Italy, and into France with reputation kept by means of introductions. I procured for him the best company in every place he went to, and I had the pleasure to receive many letters from my friends as well as from himself in the most satisfactory style. These letters, his assurances, and those from some friends on his behalf, regained my confidence, and I judged he had now arrived at the period of proper reflection; for such usually happens to young people who have been too volatile in the first stages of manhood. At this period it happened that a commercial agent became necessary to have a general superintendency of the public business in Europe. My brother was then in France (as I thought), possessed of my good opinion; and, reflecting that he was qualified for that agency by his education in two counting-houses, where he had seen and executed much business by his perfect knowledge of the languages and by his being connected with some of the best mercantile houses in Europe and known to many more, I was prompted to offer his services to the committee, firmly believing he would be extremely useful, and do honor to himself and me. Here I must observe that no part of his conduct had ever given me the least cause to suspect any want of integrity or breach of honor. Therefore, the only doubts I did or could entertain were, whether he would bestow that attention that he ought to this business; and for this I depended on the assurances he had given in his letters of a faithful execution of any commands I might lay on him. The committee, of which Dr. Franklin was then a member, was pleased to accept the offer, and on the doctor's going to France he promised me to become a friend and adviser to my brother if he found it necessary. Mr. Deane had promised this before his departure, and to make me acquainted with his conduct. I reposed myself in confidence that he could not do any harm (as I should soon hear how he managed and could act accordingly), and he might do much good. At the same time that I recommended him to the agency, I intrusted him to collect the debts due to our house in Europe, and pay the balances we might owe there; and since then have continued to employ him in the management of our own business. * * *

It happened very unfortunately that, about the time Thomas Morris was appointed in America to this agency, he had gone from France to London, where, totally unable to withstand the tempting scenes of pleasure *that sink of iniquity affords*, he gave in to the pursuit with an eagerness (as I am now informed) that debauched his mind and laid

the foundation for all that has since happened. He was in London at the time his letters of appointment arrived at Paris. Mr. Deane sent for him. He came and promised a faithful attention to business. He repaired to Nantes, and finding Mr. Penet had been intrusted with a contract for public business, part of which had been executed, he readily fell into the proposals made by that house and became a party in it, but on what terms I do not know; consequently he put the public business into their hands (which was not inconsistent with the instructions under which he acted). Whilst things were in this train in France I received a letter from the gentleman in Cadiz with whom my brother had lived, a worthy man, who had great regard for him and wished to promote his welfare. He gave me reason to suppose his conduct in London had been out of character, and this gave the first alarm to my fears; in consequence of which I wrote letters on the 31st of January last to Mr. Deane, to Mr. Ross, and to Mr. Thomas Morris, informing them of this intelligence, and pressing their immediate care of and attention to the public business, should he neglect it. I requested my friend Ross to visit France on purpose to watch and inform me truly what was his conduct, and insisted to my brother that if he had been guilty of any neglect of duty or misconduct in discharge of his public trust, that he should resign it into the hands of Mr. Deane or Mr. Ross, empowering them *regularly* to act for him until new arrangements were made. This done, I waited impatiently for the event. * * * By the return of one of our ships came letters from the commissioners, saying, to the best of my remembrance, "that Mr. Thomas Morris must be immediately displaced from his agency," and another quoting the paragraph of Dr. Lee's letter from Bordeaux. Having no private letter *then* from Mr. Deane on this subject, I was astonished at the style of these to Congress; for, supposing my brother guilty of some inattention, which was the most I did suppose, I could not think it right to blast entirely a young man's reputation, that was just setting out in the world, merely because he was fond of pleasure; and as the letters he had written respecting the business under his care were full and clear, they were produced to Congress in his justification and to prevent any hasty measures. I then related to Congress the substance of what I have now written, but not so fully; and many members, as well as myself, were surprised at the affair as it then stood. In consequence of what the commissioners had wrote, I referred myself to Mr. Thomas Morris's private letters more particularly. I found there was no good understanding between Mr. Deane and him (but of Dr. Franklin he wrote respectfully), and he intimated that Mr. Deane was privately his enemy. Not trusting, however, to his letter, I applied to several persons that came from Nantes, who assured me that there was nothing amiss in his conduct that they knew or heard of; but more particularly one person, who had transacted business with him. This gentleman assured me over and over that he lived two months in the house with my

brother; that he saw him assiduous, attentive, and industrious; that if it had not been for him the business of those ships would not have been done in any reasonable time, and that I might depend my brother would give entire satisfaction; at least he was fully persuaded of this. He said he knew well there were persons in France that envied his appointment, and would leave nothing undone to have him displaced, and particularly mentioned Mr. Williams, who he heard was nephew to one, and concerned in trade with another of the commissioners, as the person intended to supply his place.*

* "Acting upon these impressions, Mr. Morris wrote angrily to Mr. Deane: 'I think those public letters,' he said, 'were cruel to my brother and extremely unfriendly to myself. I shall inform him of them, and if he has spirit to resent them, I hope he will also have judgment to do it properly.' The letter from which these words are taken he inclosed open to his brother, asking him to read it before sending it to Mr. Deane. He accompanied it, however, with a few sentences of caution to himself: 'As to what I have said about your resenting their letters, I think you had best not think of anything of that kind, lest your past behavior will not support you in doing it; and the best satisfaction you can have will be by holding your post under such good conduct as will deter them from attacking you again.'

"Upon receiving this packet the drunken wretch resolved to convey the letter to Paris himself, and 'resent' the conduct of the envoys in their very presence. Mr. Deane related to Mr. Robert Morris what occurred in consequence of this doughty resolution: 'Mr. Morris, September 27, called on me, and said he had a letter from you, which, though directed to me, respected the commissioners, and therefore he chose to deliver it in the presence of Dr. Franklin. I thereupon conducted him to the doctor's apartments, and he delivered the letter to him. It was open, very much worn and dirty, and the cover in which it was wrapped, without being sealed, was superscribed in the handwriting of Mr. T. Morris. After Dr. Franklin had read the letter, Mr. T. Morris told us we had written to Congress more than was true respecting his conduct, that the Congress were of this opinion, and that he should hereafter despise us and treat us with the greatest contempt, adding other insulting expressions, not necessary to be repeated; to all which my venerable colleague made this reply: 'It gives me pleasure to be respected by men who are themselves respectable, but I am indifferent to the sentiments of those of a different character, and I only wish that your future conduct may be such as to entitle you to the approbation of your honorable constituents.' On parting Mr. T. Morris told us he had shown the letter to all whom he thought his friends, and having copied it, he should continue to show it in the same manner. How public it may soon be made by him, or those he communicated it to, I know not; but I am apprehensive that many, who are neither friends to him nor to America, have already seen it, and that this indiscreet exposure of it may give our enemies an opportunity of using it to strengthen their accounts of our internal divisions and animosities. I must also inform you that Mr. Penet, pretending to have received intelligence from you of what I wrote to Congress concerning him, has had the assurance to send me open, by Mr. T. Morris, an insulting and menacing letter, which had also been shown in the same manner."

(Deane papers, 121; quoted in 2 Parton's Franklin, 263.)

De Kalb to John Adams.*

AT VALLEY FORGE CAMP, December 27, 1777.

SIR: As you are going to France in a public character from the United States, will you give me leave to present you a letter of introduction for M. le Comte de Broglie, one for M. Moreau, the first secretary to Count de Vergennes, minister of state for foreign affairs, and two for my lady, who will be glad to see you, and to get news from me by your means?

I wish you a good passage, a safe arrival, health and success in all your enterprises, no one being with more regard and esteem, sir, your most obedient and very humble servant,

BARON DE KALB.[†]

W. Lee to Charles Thomson.[‡]

PARIS, January 2, 1778.

SIR: I had the honor of writing to you by the *Independence*, Captain Young, a copy of which went since.

It is with infinite pleasure that I congratulate Congress and America on the favorable change in our affairs in Europe since advice was received of the noble and spirited exertions of the northern army and militia in making General Burgoyne and his army prisoners. The purport of the last and present dispatches from the commissioners at the court of Versailles will show how pleasing the prospect before us is in this country at the present moment, which I hope will ripen into pleasant fruit.

I must beg you to lay before Congress that, though we had received repeated assurances from the King of Prussia of his good wishes for our success, and indeed had experienced his operations in our favor by his forbidding his officers to permit the Hesse and Hanau recruits for the British army in America to pass down the Rhine, yet, since the late advices, his prime minister writes more decidedly than before, for he says: "I can assure you, sir, his majesty will not be the last power to acknowledge the independence of the Americans, but you must be sensible it is not natural for him to begin it; and that at least France, whose political and commercial interests are more immediately connected with yours, should set the example."

From this I conclude that as soon as France has entered into a treaty with you, the King of Prussia will not hesitate to do the same. This shows that my former opinion was well founded when I observed to you that it was probable most if not all the European powers would follow the example of France and Spain in acknowledging the independence of America. I have so far been able to prevail with the emperor, by ne-

* 7 J. Adams' Works, 9.

† As to Kalb, see index, under his name.

‡ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 596, with verbal changes.

gotiations with his minister, as to get his imperial highness to disown the practice of the German princes hiring their troops to Great Britain for the purposes of the American war. I have been waiting some time for the conclusion of certain affairs here, on which I presume the commissioners at this court will write fully. When they are clearly decided, signed, and sealed, I shall then immediately set out for Vieuna, where it is thought my first visit will be most proper and beneficial, and then I shall proceed to Prussia, where I can venture to assure Congress that American merchant ships will be now freely admitted to commerce.

Emden is a convenient port where many American articles will come to a fine market, such as tobacco, furs, rice, and indigo of that quality which is most like the St. Domingo kind. The returns in woolens, linens, naval stores, arms, and ammunition will be greatly beneficial to America. I shall, by all safe opportunities, regularly inform Congress of my proceedings, continuing to address my letters to you until I have other directions, having not received any instructions on that head as yet. It will certainly be of great use to keep me regularly advised, and as early as possible, of all the material occurrences in America. I can not omit to mention it as my opinion that, let the events in Europe be what they will, you ought to prepare for another vigorous campaign, in which, if Great Britain is foiled, you may assuredly compute on the war being at an end.

I have the pleasure to inform Congress that from the best intelligence, I learn that Great Britain has hitherto been very unsuccessful in her attempts to hire fresh German troops for the American war, but the diligence of the British ministry is greatly increased in endeavoring, by every artifice and allurement, to raise men in England, Scotland, and among the Roman Catholics in Ireland. I am inclined to think that even there they will find themselves a good deal disappointed; but a few weeks will show their chance of success with more certainty; but at all events, the troops they raise will be raw men, and not able to encounter your veterans, aided by a well-disciplined and spirited militia. The plan of the next campaign is, I believe, as yet to be settled; the earliest information I can get on that head, which is to be depended on, shall be immediately transmitted to Congress.

I am, with all due regard, etc.,

WILLIAM LEE.

A. Lee to the Committee of Foreign Affairs.*

PARIS, January 5, 1778.

GENTLEMEN: My dispatches by Captain Young, and since by Mr. Deane, jr., will have informed you of whatever has happened worthy of your attention in the departments of Spain and Prussia. The latter is now resigned to the care of the commissioner appointed to it, who

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 466, with verbal changes.

will inform Congress (as he is instructed) of the assurance from Baron de Schulenburg, secretary of state to the King of Prussia, that his master will not be the last to acknowledge your independency. This may show you the favorable disposition of that monarch, who I believe waits only for the example of this court. That example, I trust, will not be long delayed.

I have received a complaint from St. Sebastian of the imprisonment of the sailors who carried in a prize made by an American privateer, and the seizure of the prize. This passed previous to the news of Burgoyne's surrender and General Washington's having given battle to the British army. As this news has made a strong sensation in our favor, I am in hopes the representations I have made will not only relieve them, but prevent any violence of this kind in future.

It would seem that the court of Spain will not enter into any negotiation till we have concluded the business here. But I shall hold myself ready to execute that duty in obedience to the commands of Congress the moment it is permitted. I expect every day to hear that the blankets and stockings ordered from Bilboa are shipped.

I have this moment received the letter, of which I inclose an extract.* It proves the sincerity of those professions I had the honor of receiving from his Prussian Majesty, and as he is in great esteem with the Empress of Russia, I think we may be satisfied that he will use all his influence to prevent our enemies from succeeding in their solicitations with her.

There appears no reason to alter my opinion of the malignant obstinacy with which our enemies are determined to pursue the war. Their ill success has produced a disinclination in the public to persevere, which gives them some alarm. I have secret and sure information that, in order to overcome this reluctance by the hope of a speedy end to the war, they mean very soon to lay before Parliament a plan of accommodation. Under the delusion of this hope they expect to pass easily over the inquiry into the state of the nation, and to have its force continued another year under their direction.

Mr. Stevenson, who will have the honor of delivering you this, was a merchant in Bristol, whom I have long known to be zealously attached to the cause of his country.

The British court are greatly alarmed about Canada, for the defense of which they are informed eight thousand men, at least, are necessary. I hardly think it will be possible for them to procure anything like that number. The refusal of a passage by the King of Prussia will embarrass and impede their German supplies as stipulated, and I have good intelligence that it was done with the approbation of the emperor, and that he will use his influence to prevent any future supplies.

I beg the favor of having my duty and respects recommended to Congress, and have the honor to be, etc.,

ARTHUR LEE.

* From Baron de Schulenburg.

Louis XVI to Charles III.

[Translation.*]

JANUARY 8, 1778.

SIR, MY BROTHER AND UNCLE: The sincere desire which I feel of maintaining the true harmony and unity of our system of alliance, which must always have an imposing character for our enemies, induces me to state to your majesty my way of thinking on the present state of affairs. England, our common and inveterate enemy, has been engaged for three years in a war with her American Colonies. We had agreed not to meddle with it, and viewing both sides as English, we made our trade free to the one that found most advantage in a commercial intercourse. In this manner America provided herself with arms and ammunition, of which she was destitute. I do not speak of the succors of money and other kinds which we have given her, the whole, ostensibly, on the score of trade. England has taken umbrage at these succors, and has not concealed from us that she would be revenged sooner or later. She has already, indeed, seized several of our merchant vessels, and refused restitution. We have lost no time on our part. We have fortified our most exposed colonies and placed our fleets upon a respectable footing, which has contributed to aggravate the ill humor of England.

Such was the posture of affairs in November last. The destruction of the army of Burgoyne and the straitened condition of Howe have totally changed the face of things. America is triumphant, and England cast down; but the latter has still a great unbroken maritime force, and the hope of forming a beneficial alliance with her Colonies, the impossibility of their being subdued by arms being now demonstrated. All the English parties agree on this point. Lord North has himself announced, in full Parliament, a plan of pacification for the first session, and all sides are assiduously employed upon it. Thus it is the same to us whether this minister, or any other, be in power. From different motives they join against us, and do not forget our bad offices (*mauvaise offices*). They will fall upon us in as great strength as if the war had not existed. This being understood, and our grievances against England notorious, I have thought, after taking the advice of my council, and particularly that of M. d'Ossuna, and having consulted upon the propositions which the insurgents make, that it was just and necessary to begin to treat with them, to prevent their reunion with the mother country.

I lay before your majesty my views of the subject. I have ordered a memoir to be submitted to you, in which they are presented in more

* 7 Fllassan, Dip. Français, 177; Rep. No. 220, Twentieth Cong., first sess., vol. 3, p. 45.

detail. I desire eagerly that they should meet your approbation, knowing the weight of your probity.

Your majesty will not doubt the lively and sincere friendship with which I am, etc.

La Fayette to John Adams.*

HEADQUARTERS, January 9, 1778.

SIR: As General Knox will have the pleasure to see you before your going to France, I take the liberty of intrusting him with the inclosed letter for you, which you will find very importune,† but I hope you will excuse, on account of my being very desirous to let my friends hear from me by every opportunity. Such a distance, so many enemies are between me and every relation, every acquaintance of mine, that I will not reproach myself with any neglect in my entertaining with them the best correspondence I can. However, to avoid troubling you with too large a parcel of letters, I will send my dispatches by two ways, as one other occasion is offered to me in this very moment. I must beg your pardon, sir, for making myself free enough to recommend you to some friends of mine in France; but as I do not believe you have many acquaintances in that country, I thought it would not be disagreeable to you if I would desire Madame de la Fayette and the Prince de Poix, to whom I write, to introduce you to some of my other friends. Before indulging myself in that liberty, I asked the General Knox's opinion, who told me that he did not find anything amiss in it, although I had not the honor of your particular acquaintance.

I told General Knox some particular advices which I believed not to be disagreeable to you. I hope you will hear good news from here, and send very good ones from there. Such is the desire of a friend to your country and the noble cause we are fighting for. I wish you a pleasant and safe voyage, and with the highest esteem and greatest affection for a man to whom the hearts of every lover of liberty will be indebted forever, I have the honor to be, sir,

Your most obedient servant,

THE MARQUIS DE LA FAYETTE.

Witherspoon and Lovell, Committee of Foreign Affairs, to the Commissioners at Paris.†

YORK, January 12, 1778.

GENTLEMEN: Not having received any letters from you since the 26th of May, we were severely chagrined yesterday, upon the arrival of Captain John Folger, who, under the name of dispatches from the

* 7 J. Adams' Works, 10.

† Various French idioms will be noticed which it has not been thought necessary to correct where the grammar is preserved.—ADAMS.

‡ MSS. Dep. of State: 1 Sparks' Dip. Rev. Corr., 262, with verbal changes.

commissioners at Paris, delivered only an inclosure of clean white paper, with some familiar letters, none of which contained any political intelligence. You will see, by the within examination of Folger, that he was by no means a discreet person, fit to have the charge of what you trusted to him; but we can not yet prove that he was willfully connected with the robbers of the packet. The paper referred to by the letter A, in the examination, was a plain cover to plain paper, which had been put in the place of an inclosure, probably very interesting, sent with the public ledgers to R. H. Lee.

We shall endeavor to find whether the robbery was committed after Folger left France; but we must depend upon you to trace the circumstances from the time of your sealing till that of his embarking.

Congress have sent to General Caswell, governor of North Carolina, to explain the part he is said to have taken in the affair, and to examine the ship captain and the two passengers. Should the governor confirm Folger's narrative, so as to make his veracity less problematical than at present, his confinement may be rendered easier to him, but he must not be quite discharged till we hear from you. There ought to be the greatest caution used with regard to the characters of all those persons who are confidentially employed by you. The connection which Folger has had since he left America with persons in England and on the voyage to Falkland's Isles can not be thought favorable to our interest, if his own family and native place are so. We shall only add on this subject, that Folger, upon recollection, asserts that the largest packet delivered to him at Havre de Grace was directed, "Dispatches for Captain Folger," and he laments that he did not himself open it before he sailed. If this circumstance is true, it accounts for Governor Caswell's opening the packet.*

We are, with much regard, etc.,

J. WITHERSPOON.†

J. LOVELL.

* "The captain himself was suspected of fraud, and was strictly examined by a committee of Congress, appointed for that purpose. He, in the most solemn manner, protested his innocence, and declared that he had delivered the packet in the same state in which he had received it. The governor of North Carolina was requested to examine the persons who came in the ship with Folger; but no satisfactory information could be obtained from them. With a hope of finding some clue which might lead to a discovery of this mysterious affair Congress directed the board of war to confine Captain Folger in a close prison until further orders. In consequence of this order he was kept a close prisoner until May 8, 1778, when, on the report of the committee of Congress declaring that nothing was found against him, he was released, and his expenses paid." (1 Pitkin's Hist. U. S., 414.)

In a letter from Adams to Lovell, July 26, 1778, *infra*, it is said that the theft was by some one who afterwards escaped to England.

A. Lee, in a letter given *infra*, under date of April 14, 1778, throws the blame partly on Carmichael, whom he charges with tampering with A. Lee's papers. That this was one of A. Lee's monomaniac suspicions we may infer from what we know of Carmichael, who was a man of high honor. (Introduction, § 171.)

† John Witherspoon, a signer of the Declaration of Independence and a member

A. Lee to the Committee of Foreign Affairs.*

PARIS, January 15, 1778.

GENTLEMEN: I have the pleasure to inform you that our friends in Spain have promised to supply us with three millions of livres in the course of this year. † I should be happy that immediate and precise orders were sent from Congress for the appropriation of it, which will prevent it from being expended in a manner, perhaps, less useful than the purposes they may wish to fulfill.

My last advices from Bilboa assure me that they are shipping the

during the Revolution of the Continental Congress, was born in Haddingtonshire, Scotland, in February, 1722. His father was a minister of the Scotch kirk; his mother was a descendant of John Knox. Educated in the University of Edinburgh, he was ordained as a minister of the kirk in 1744. Several controversial works, defending moderate Calvinistic theology and polity, were published by him within the following fifteen years. In 1766 he was elected president of Princeton College, to fill the vacancy created by the death of President Finley. This post, after first declining, he accepted in 1767, and the rapid growth of the endowments of the college and the increase in the number of its students, soon attested the success of his management. The war, however, produced a great change. With his characteristic resoluteness he took decided revolutionary ground: but Princeton, being the constant site of collisions between the contending armies, could no longer be kept in prosperous operation. What the cause of education thus lost, however, was gained in the political field. Witherspoon was elected to the Continental Congress, where, with one or two unimportant intermissions, he remained until peace. Here his strong sense, his resolute courage, his high moral and religious tone, were of immense value. He at once saw the necessity of a strong executive, both in the military and civil side of the government, and he uniformly gave his support to whatever measures were calculated to strengthen Washington and to sustain Franklin, and afterwards Livingston and Morris. Of the necessity of a punctilious fulfillment of our obligations to France he was a firm champion: and perhaps his Scotch blood may have added somewhat both to his conscientiousness and his tenderness in whatever related to our dealings with France. On the question of separate negotiation of the treaty of peace we have from him a speech, which will be hereafter given, which shows his position in this relation. His later years were much clouded. The college having become poor during the war, the trustees sent him to England to ask for contributions, but here he failed. His own affairs had become embarrassed by unsuccessful landed investments, and on his return to New Jersey from his abortive English mission his health broke down and his eye-sight utterly failed. He died on his farm near Princeton on September 15, 1794. His influence, however, was destined to be permanent. His great abilities, pure character, and strong whig principles drew to Princeton College students of intelligence and ambition, who were much molded by his views. James Madison was a striking instance of this. He graduated at Princeton in 1771, but he remained for a year longer under the especial tuition of Witherspoon, whose political views he adopted, and for whom he felt an enduring attachment. The similarity of their views when in Congress in 1773, as to the great question of loyalty to the French alliance, has been elsewhere noticed.

"Dr. Witherspoon enters with great spirit into the American cause. He seems as hearty a friend as any of the natives, an animated son of liberty." (John Adams' Diary, Sept. 3, 1774, in 2 John Adams' Works, 363.)

Gerard, in one of his dispatches, says of "Wedgespun," as he calls him, that "il

* 1 Sparks' Dip. Rev. Corr., 468.

† These funds were not supplied.

blankets and stockings I ordered. The enemy are raising men in England and Scotland with great industry; but their best stock (the 3 per cent. consols) has fallen 7 per cent.

I have the honor to be, etc.,

ARTHUR LEE.

Franklin and Deane to John Paul Jones.*

PARIS, January 16, 1778.

SIR: As it is not in our power to procure you such a ship as you expected, we advise you, after equipping the *Ranger* in the best manner for the cruise you propose, that you proceed with her in the manner you shall judge best for distressing the enemies of the United States,

réunit dans un haut degré deux qualités qui semblent opposées, une véhémence de caractère extrême, et la plus grande souplesse d'esprit." He misunderstood, however, "Wederspun's" political position in 1778.

Witherspoon's early life was not without adventures. He was settled, soon after his license to preach, in the parish of Beith, in the west of Scotland, and there married. Notwithstanding these ties, however, he was prompted by "curiosity," so his biographer tells us (Sprague's Annals, tit. Witherspoon), to "witness the encounter" at Falkirk, on January 17, 1746, between the royal troops and those of the Pretender. He was taken prisoner by the rebels, and appears to have been treated with so little respect during a "close confinement" of a fortnight, "that his nervous system, previously enfeebled by intense study, received a shock from the confinement occasioned by this curious and perhaps rash adventure, from which it did not soon, if ever, fully recover." His literary activity was very great, and was not confined to matters theological. He published in 1753 a very lively work on the "arcana" of Presbyterian church polity, which, by its humor and invective, not unmixed with personal criticism, made him for a time not very acceptable to the more conservative and formal portion of his church. This was followed in 1756 by an essay on justification, taking strong Calvinistic ground; and in 1757, shocked at Home, a fellow clergyman, putting on the stage the tragedy of Douglass, he published a "serious inquiry into the nature and effects of the stage," in which he scourged with no light hand stage abuses. In 1757 he was translated to Paisley, where, having heard that certain young men of fashion in the town had indulged in certain irreligious orgies not unlike those by which Wilkes and Lord Sandwich about this same time dishonored themselves, he preached and published a sermon exhibiting them by name to public scorn. They denied, however, the truth of the reports, and "a suit was brought against the doctor for defamation of character, which went against him, the proof (of his defense) having been considered by the judges defective; and he was subjected to a fine or expenses which brought him into pecuniary difficulties which called his friends to come under engagements." He did not suffer, however, in public respect or estimation by this misfortune, however much his reputation for prudence may have been impaired. In 1764 he was made doctor of divinity by the University of Aberdeen; his theological works, comprising by this time several volumes, were widely read, and admired for their logical power as well as religious zeal; and, after several calls to other important fields, he accepted, in 1767, the presidency of Princeton College, taking charge in 1768. The extraordinary success which attended, until Princeton became the center of the revolutionary war, his services in this position, is described by Dr. Sprague in detail in the biography already referred to.

* 1 Sparks' Dip. Rev. Corr., 263.

by sea or otherwise, consistent with the laws of war and the terms of your commission. If you take prizes on the coast of France or Spain, send them into Bilboa or Corogne, unless you should apprehend the danger too great, in which case we advise you to send them either into L'Orient or Bordeaux directing the officers who may have them in charge to apply at L'Orient to M. Moylan or M. Goulade, and at Bordeaux to Messrs. Samuel & T. H. Delap, and inform us immediately of their arrival and situation. If you send to Spain, or should put into the ports of that kingdom, apply at Bilboa to Messrs. Gardoqui & Sons; at Corogne to Messrs. Leagonere & Co.

If you make an attempt on the coast of Great Britain, we advise you not to return immediately into the ports of France, unless forced by stress of weather or the pursuit of the enemy; and in such case you must make the proper representation to the officers of the port, and acquaint us with your situation. We rely on your ability, as well as your zeal to serve the United States, and therefore do not give particular instructions as to your operations. We must caution you against giving any cause of complaint to the subjects of France, or Spain, or of other neutral powers, and recommend it to you to show them every mark of respect and real civility which may be in your power.

You will communicate to your officers and seamen the encouragement we have given them, and explain to them that though it was not in our power to be particular as to the rewards they should be entitled to, yet they may safely rely on the justice of the Congress. Before you sail it will be proper to settle with Mr. Williams the account of your disbursements, and send the account up to us.

We most sincerely wish you success, and are, with much esteem, sir, your most obedient and very humble servants,

B. FRANKLIN.
SILAS DEANE.

Baron Schulenburg to A. Lee.

[Translation.*]

BERLIN, January 16, 1778.

SIR: In answer to the letter which you did me the honor to write me the 28th of December last, I begin with remarking that before this last I have received two letters from you, viz, of the 4th and 11th of the same month; but as you say that you have written twice to me since the 4th of December, this expression may leave some doubt whether the letter of the 4th is comprehended in these two or not; in the latter case one of your letters must be lost. With respect to myself, sir, since my letter of the 13th of December, the receipt of which you acknowledge, I have sent you two answers, dated the 18th and 23d of the same

* 1 Sparks' Dip. Rev. Corr., 468.

month, which, as I hope, have reached you. I address this, as you desire, to the care of Mr. Grand, banker, rue Montmartre; and to be certain in future that none of our letters miscarry, I propose to you, sir, to number yours as I shall do mine, beginning with the present.

Your reflections concerning the present state of American affairs are very just, and we can perceive that General Howe's situation must be very difficult and embarrassing. Time must discover how he will extricate himself, and whether he will choose and maintain his quarters with more prudence and good fortune than he did last year.

As the events of this war become daily more interesting, I must again request, sir, that you will be kind enough to communicate to me regularly the advices you may receive. The king interests himself very much in them, and his majesty wishes that your generous efforts may be crowned with success; and as I have already advised you in my letter of the 18th of December, he will not hesitate to acknowledge your independence whenever France, which is more interested in the event of this contest, shall set the example. His majesty would not, moreover, make the least difficulty in receiving your vessels into his ports, were it not that he has not a fleet to resent the affronts which might be shown there to your ships; the port of Embden, however fine and secure it is, has not even a fort to defend it. He will not, therefore, expose himself to the disagreeable consequences.

As to the muskets and other arms of our manufacturing, you shall be at liberty, sir, to purchase or to command them; and the Bankers Spittgerber, contractors for the manufacture of arms, have received orders to deliver such as you may demand. I inclose you a memorandum of their prices, which are the same as the king pays; and I add that the muskets for the infantry can be delivered at a lower price, if you will be content with the solidity of the work, without being so exact as to their similarity as the king requires.

I have the honor to be, etc.,

BARON DE SCHULENBURG.

Arthur Lee to Captain Jones.*

PARIS, January 17, 1778.

Though I approve in general of the preceding instructions, yet I can not sign them, because they contain an order to put the sale of prizes into other hands than those of the commercial agents, which I have always thought unjust, and recommend Mr. Gonlard, though that gentleman and his company have forfeited our confidence in the business already intrusted to them.

ARTHUR LEE.

(Copy of what Mr. Lee wrote on the back of Captain Jones' instructions.)

* Franklin MSS., Dep. of State.

Dr. Price to Franklin.*

LONDON, January 18, 1779.

Dr. Price returns his best thanks to the honorable Benjamin Franklin, Arthur Lee, and John Adams, esq., for conveying to him the resolution of Congress of the 6th of October last,† by which he is invited to become a member of the United States and to give his assistance in regulating their finances. It is not possible for him to express the sense he has of the honor which this resolution does him, and the satisfaction with which he reflects on the favorable opinion of him which has occasioned it. But he knows himself not to be sufficiently qualified for giving such assistance; and he is so connected in this country and also advancing so fast in the evening of life that he can not think of a removal. He requests the favor of the honorable commissioners to transmit this reply to Congress, with assurances that Dr. Price feels the warmest gratitude for the notice taken of him, and that he looks to the American States as *now* the hope and likely *soon* to become the refuge of mankind.

Witherspoon and Lovell, Committee of Foreign Affairs, to the Commissioners at Paris. †

YORK, January 21, 1778.

GENTLEMEN: We mean in this letter to give you a succinct view of the state of our military affairs. You must, long before this reaches you, have been made acquainted with the signal success of the American arms in the northern department, particularly the several engagements in that quarter previous to the surrender of General Burgoyne and his whole army to General Gates. Since that time Ticonderoga and Mount Independence have been evacuated by the enemy, so that the whole of that department is now in our possession. The Indians are perfectly quiet, and we have lately received intelligence that those formerly in the interest of our enemies incline to our side, as also that the inhab-

* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 47.

† In Congress, October 6, 1778.—“Resolved, That the honorable Benjamin Franklin, Arthur Lee, and John Adams, or any of them, be directed forthwith to apply to Dr. Price, and inform him that it is the desire of Congress to consider him a citizen of the United States and to receive his assistance in regulating their finances. That if he shall think it expedient to remove with his family to America, and afford such assistance, a generous provision shall be made for requiting his services.” Sparks.

As to Price's enthusiastic interest in the French revolution, see 9 Cunningham's Walpole, 261, 264, 268.

For his pamphlet on civil liberty the common council of London presented Dr. Price with the freedom of the city in a gold box. It was translated in several European languages, and in Holland in particular its effect in favor of the American cause was great. Note to 6 Cunningham's Walpole, 408.

‡ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 264.

ants of Canada, where the enemy have but small force, are in general much disposed to favor us. General Burgoyne and his troops are now in Boston, and on account of several very exceptionable parts of his conduct Congress have resolved that he shall not be suffered to depart till the convention of Saratoga is ratified by the court of London.

A part of the enemy's army is still in possession of Newport, in Rhode Island. An expedition intended to dispossess them of that place, on account of some mistakes and neglect of those who were to make the proper preparations for it, was obliged to be laid aside, but we expect it will some time hence be resumed.

As to the armies in this State, General Howe is still in Philadelphia, but possesses no part of the country round it. General Washington's army is in huts to the westward of the Schuylkill, refreshing and recruiting during the winter; and it is in contemplation to call in a number of militia to attempt to expel Howe before he can be re-enforced in the spring. A part of our army is stationed at Wilmington, and they, with the militia on both sides of the river, have been very successful in taking several of the enemy's vessels since the winter set in. A committee of Congress is just going off to the army to assist in regulating it for the next campaign and to concert measures for the most early and vigorous operations.

Copies of newspapers and the proceedings of Congress relating to the convention of Saratoga are sent to you by this conveyance, besides which we hope you will have the advantage of information from Mr. Adams in person.

We are, with much regard, etc.,

J. WITHERSPOON.

J. LOVELL.

Laurens, President of Congress, to Adams.*

YORKTOWN, January 22, 1778.

SIR: On the 19th instant I had the honor of receiving and presenting to Congress your favor of the 23d ultimo, the contents of which afforded great satisfaction to the house. It is now the wish of every friend to American independence to learn speedily of your safe arrival at the court of Versailles, where your sagacity, vigilance, integrity, and knowledge of American affairs are extremely wanted for promoting the interests of these infant States. You are so well acquainted with our present representation in that part of Europe, and with the delays and misfortunes under which we have suffered, as renders it unnecessary to attempt particular intimations. Inclosed you will find an act of the 8th instant for suspending the embarkation of General Burgoyne and his troops. Mr. Lovell has very fully advised you on that subject by the

present opportunity; permit me to add that I have it exceedingly at heart, from a persuasion of the rectitude and justifiableness of the measures, to be in the van of the British ministry and their emissaries at every court of Europe.

Baron Holzendorff presents his best compliments, and requests your care of the inclosed letter, directed to his lady. If I can possibly redeem time enough for writing to my family and friends in England I will take the liberty by the next messenger to trouble you with a small packet. Hitherto all private considerations have been overruled by a constant attention to business of more importance; I mean since the 1st of November.

I have the honor to be, with great regard and esteem, sir, your most obedient and most humble servant,

HENRY LAURENS,
President of Congress.

W. Lee to the President of Congress.*

PARIS, January 22, 1778.

SIR: Be so good as to inform Congress that I have communicated to them, by several letters addressed to Charles Thomson, esq., their secretary, my proceedings hitherto, in consequence of their appointing me their commissioner at the courts of Vienna and Berlin. I am now to add that having lately had a conference with the imperial ambassador at this court, he observed immediately an imperfection in my commission, as it only authorizes me to treat with the Emperor of Germany, and not with his mother, who is the reigning and sovereign prince over all the Austrian dominions, as well in Germany and Flanders as elsewhere.

She is extremely jealous of her power and authority, not permitting her son to interfere in any manner in the goverment of her dominions. Her title is, "The Most Serene and Most Potent Princeess Maria Theresa, Queen of Hungary and Bohemia, Arch Duchess of Austria," etc. The emperor, her son, though heir to her dominions, is at present only commander-in-chief of his mother's army, and as emperor is the head of the German Empire. I therefore beg leave to submit to Congress whether it may not be proper to send another commission, to treat with the Queen of Hungary, etc., since, in fact, there are two courts to negociate with, though they both reside in the same city, viz: with the emperor, so far as relates to the German Empire, such as obstructing Great Britain from procuring German troops to send to America; and with his mother, for the purpose of commerce with the Austrian dominions, etc.

There is every reason to believe that our affairs will be finally settled

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 598.

here, and the compact signed and sealed in a few days; after which I shall immediately set off for Vienna, since from that quarter we have most to apprehend, as there has been always a particular intimacy between that court and the court of London, at least for the present century, which has not been interrupted but during the last war with France.

Notwithstanding the promising appearance of things at present, I can not forbear giving it as my opinion, that every possible exertion should be made to prepare for a vigorous campaign next summer, [which will probably be the last you will have to encounter.*]

I am, with sincere esteem, etc.,

WILLIAM LEE.

Arthur Lee to Ralph Izard.[†]

JANUARY 28, 1778.

SIR: You may, if you please, mention to the other commissioners that I have asked your opinion of the proposition of setting all our exports to the French islands against the molasses imported from them in a perpetual exemption from duties. If your arguments should convince them, I am still ready to co-operate in preventing the article from taking effect, and think there is yet time. But a day may render it irrecoverable.

I am, etc.,

ARTHUR LEE.[‡]

Izard to B. Franklin.[§]

PARIS, January 28, 1778.

DEAR SIR: Mr. Lee has asked my opinion on an article which he informs me has been under the consideration of the commissioners, viz., whether an exemption from duty on molasses is an equivalent for a total exemption from duty of all the exports of North America to the French West India Islands?

In answer to this question, I am clearly of opinion that it is not, and if that article should be agreed to by the commissioners, without an absolute necessity, I can not help thinking it would be a sacrifice of the general interests of America to those provinces which import molasses. I shall not be suspected of partiality, or of being actuated by any motives but those of the public good, when it is known that South Carolina, the province in which all my property lies, imports

* Passage in brackets omitted in Sparks' ed.

† 1 Sparks' Dip. Rev. Corr., 650.

‡ See, as to this question, introductory chapter, § 46; and, *infra*, letters under date of Feb. 1, Feb. 21, May 23, June 1, 4, 5, 8, Oct. 12, 1778.

§ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 651.

a considerable quantity of molasses for distillation. Should the article in question be agreed to, the French might lay what duty they pleased upon their European exports, and even upon their sugar, coffee, and other productions of their islands, without our having any check upon them whatever. For if, in consequence of any such duty imposed by them, a duty were to be laid by America on any of her exports to France, the French vessels would have nothing to do but to clear out for the West Indies, and sail directly for Europe, or touch first at one of their islands. This will certainly at least open a door for smuggling, and may occasion a discontinuance of that friendship and harmony which ought to subsist between the countries. This article seems the more extraordinary to me, as I do not think there is the least probability of any duty being ever laid by the French upon molasses, as the distilling it into rum would materially interfere with their brandy, and therefore a duty would endanger a diminution of the consumption of it.

I am very sensible that the decision of this business is committed entirely to the commissioners at this court. At the same time I can not help thinking it my duty, not only as a gentleman of considerable property in America, but likewise as one whom Congress has thought proper to honor with a commission similar to your own, though at another court, to endeavor to prevent the execution of an article that I think injurious to the interests of my country. I prefer this application to you singly as a friend to one addressed to all the commissioners, and I hope the latter will be unnecessary.

It is very painful for me to write to you in the language of complaint; but I feel myself hurt, and it is proper that I should tell you of it. It does not appear to me to be possible that any inconvenience could have arisen if you had mentioned to me the proposition of an exemption of all duties on our exports as a compensation for the exemption of the duty on molasses alone. When I had the pleasure of seeing you last at my house I spoke to you in general about the treaty, and particularly about the article of molasses, and expressed my fears that the French ministry would not consent to have such a restraint put upon their power as was contained in the article of the original treaty. I asked you whether you were under any injunctions of secrecy which prevented you from satisfying me. You replied that certainly secrecy was necessary to be observed; but that as I was myself a commissioner, you thought that you might without any impropriety talk with me on the subject, and inform me that the objection which I apprehended had been made, and that the article was to be given up. Not a word was mentioned about an equivalent. As you thought at that time that my being a commissioner entitled you to speak to me on the subject, I can not conceive what impropriety there could possibly have been in your doing it when so material an alteration was under consideration.

The instructions sent to me by Congress came through your hands,

and it will be hardly necessary to remind you that though the conclusion of the treaty with this court is intrusted to you and the other gentlemen joined with you in the commission, I am directed by the same authority under which you act to apply to you for a copy, not only of the original treaty, but likewise of "every subsequent alteration that has been *proposed* on either side." It appears, therefore, to me that as soon as the alteration was *proposed* it ought to have been communicated to me. Had you made such communication, I should have thought it my duty to have called your attention to the principles of the treaty, and should have requested you to consider whether you were not going to act in direct violation of them. My reason for thinking so is, that I am instructed to "propose to the court of Tuscany a treaty on the same commercial principles as are the basis of the treaty which you are directed to propose to the court of France." What this basis and these principles are is clearly explained to me in the following instructions: "It must never be forgotten in these commercial treaties that reciprocal and equal advantages to the people of both countries be firmly and plainly secured." This matter gives me a great deal of uneasiness, and I am extremely anxious to know if there be yet a possibility of stopping the execution of the article. You will therefore excuse my requesting that you will favor me with an answer to this letter as soon as possible.

I have the honor to be, with great regard, dear sir, your most obedient humble servant,

RALPH IZARD.

Franklin to Izard.*

PASSY, January 29, 1778.

DEAR SIR: I received yours late last evening. Present circumstances, which I will explain to you when I have the honor of seeing you, prevent my giving it a full answer now. The reasons you offer had before been all under consideration. But I must submit to remain some days under the opinion you appear to have formed, not only of my poor understanding in the general interests of America, but of my defects in sincerity, politeness, and attention to your instructions. These offenses, I flatter myself, admit of fair excuses, or rather will be found not to have existed. You mention that you *feel yourself hurt*. Permit me to offer you a maxim, which has through life been of use to me, and may be so to you, in preventing such imaginary hurts. It is, "Always to suppose one's friends *may be right* till one finds them wrong, rather than to suppose them wrong till one finds them right." You have heard and imagined

* MSS. Dep. of State; 8 Sparks' Franklin, 229; 1 Sparks' Dip. Rev. Corr., 653; see 6 Bigelow's Franklin, 124, and note thereto.

all that can be said or supposed on one side of the question, but not on the other.

I am, nevertheless, with sincere esteem, dear sir, your most obedient and humble servant,

B. FRANKLIN.

—
Izard to Franklin.*

PARIS, January 30, 1778.

DEAR SIR: I was yesterday favored with your letter containing a maxim which, though a very old one, I am bound to thank you for, and can assure you that, so far from disapproving of it, it has been one of the constant rules of my life. If you will be pleased to recollect the most extraordinary inattention, to say the least of it, with which I have been treated during the six months that I have been in Paris, you will, I hope, think I have profited by it. You will be pleased, likewise, to recollect that, after having borne this for a considerable time, I complained to you of it. Forced as I was into this complaint, it was, however, not made without studying how it should be done in a manner the least likely to give you offense. I should have been extremely glad if you had attended to the maxim yourself yesterday. Had you done so, I should not have been supposed to have formed an opinion that you had a poor understanding in the general interests of America or that you were insincere. My letter had no such meaning; neither can any such construction be fairly put upon it.

I shall give you another proof of my attention to your maxim by not being offended at your assertion "that I have heard and imagined all that can be said or supposed on one side of the question, but not on the other." You may depend upon it that you have adopted an erroneous opinion, and what that is I will inform you when you favor me with the explanation promised in your letter. You will do me the justice to remember that it has been my constant endeavor to accommodate the differences that I found prevailing to a very great degree upon my arrival here. I shall be extremely sorry, and think it a misfortune, if I should be drawn into any with a gentleman of whom I have so high an opinion as I have of you, and for whom I feel so strong a disposition to continue an esteem and friendship. This I hope will not be expected to be done at too great an expense; by my being silent when I think it my duty to speak.

I cannot conclude without again requesting that you would reconsider the article which was the subject of my last letter. If it is determined that it shall stand in its present form, can there be any inconvenience in its not being finally concluded till it has undergone the consideration of Congress? If this proposition is inadmissible, I sincerely wish that

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 654, with verbal changes.

the treaty may be for a term of years only, which is very customary in treaties of commerce, that if the mischiefs which I apprehend should not prove imaginary they may have some limitation, and not be entailed on us forever.

I have the honor to be, with great regard, etc.,

RALPH IZARD.

A. Lee to Franklin and Deane.*

CHALLIOT, January 30, 1778.

GENTLEMEN: More mature consideration and fuller lights upon the subject have satisfied me that I was wrong in receding from my opinion against the admissibility of the twelfth article in the proposed commercial treaty. I should therefore think myself neglectful of the duty I owe the public if I did not endeavor yet to prevent that measure before our signature has rendered it irrecoverable. And certainly nothing short of totally preventing the treaty from being concluded will prevail upon me to sign it if that article is to stand.

What has thus confirmed me in my former sentiments is this: At the conclusion of M. Gerard's observations upon what we proposed he said they had no design to lay any duties upon their molasses, nor was it compatible with their policy. Dr. Franklin informed me yesterday that a substitute had been found in America for molasses, procurable from a substance which is the growth of the country and of infinite plenty. A prohibition on the export of their molasses will effect every purpose which we are providing against, by restraining the imposition of duties.

From these considerations it seems clear to me that molasses are not such an important object as was stated; that the demand is more likely to diminish than increase; that there is no sound reason for apprehending that without any restraint duties will be imposed upon that article; that if there were the strongest reasons for that apprehension the sacrifice proposed does not secure us from the evil it is intended to prevent.

If these arguments are not utterly fallacious we are by the article proposed really tying both our hands with the expectation of binding one of their fingers. The principle, too, is, and the effect of this measure must be, the encouragement of commerce at the expense of agriculture, which, whatever temporary advantages it may give, will be permanently pernicious to the peace and real welfare of our country.

Nor is it an argument of little weight with me that we are binding our constituents forever in a point on which they have not had an opportunity of giving their instructions, concerning which, how far it is within the limits of our power and our discretion, I am extremely doubtful. I would, therefore, propose to you gentlemen that upon the ground of the article not having been in the plan given for our guid-

* 1 Sparks' Dip. Rev. Corr., 470.

ance, and of doubts which have arisen among ourselves about the probation it might meet with if it should be unrejected by the court here, that we should propose that both the articles be left open to be rejected or admitted by Congress, without affecting their ratification of the rest of the treaty. This exception will, it seems to me, refer the decision to that arbitration which ought to determine it, and free us from any possible imputation of having acted wrong or exceeded our powers.

I am willing that whatever charge of levity may arise from this resuming the negotiation may be wholly visited on me. Though, indeed, as I think we are treating with gentlemen of sense and candor, I am under no apprehension that they will view in any such light an anxiety to act with the utmost circumspection in a business of great moment and doubtful effect.

As this is a matter that admits of no delay, I must beg, gentlemen, an immediate consideration of what I propose, and that you will do me the favor of apprising me of your determination as soon as you have made it.*

I have the honor to be, etc.,

ARTHUR LEE.

Franklin and Deane to A. Lee.†

PASSY, February 1, 1778.

SIR: We have maturely considered your letter of the 30th past, and though we can not see the mischievous consequences of the twelfth article which you apprehend, yet conceiving that unanimity on this occasion is of importance, we have written to M. Gerard this morning, that we concur in desiring that article and the preceding to be omitted, agreeably to his first proposal.

We have the honor to be, etc.,

B. FRANKLIN.
SILAS DEANE.

Franklin and Deane to Gerard.‡

PASSY, February 1, 1778.

SIR: Mr. Lee having signified to us that on further consideration he has changed his sentiments relating to the twelfth article, and that he can not join in signing the treaty if that article remains in, and as unanimity on this occasion is of some importance, and the articles 11 and 12 seem not perfectly consonant with the declared spirit of the treaty,

* See Introduction, § 46, and letters there noted; and also Deane to Congress, Oct. 12, 1778.

† Sparks' Dip. Rev. Corr., 471; see introduction, § 46.

‡ MSS. Dep. of State; Sparks' Dip. Rev. Corr., 472; see introduction, § 46

which is to leave each party free in its regulations of commerce, we concur in requesting (if it can be done without occasioning delay) that these two articles be omitted, agreeable to your own first proposition.

We have the honor to be, etc.,

B. FRANKLIN.
SILAS DEANE.

Franklin and Deane to Vergennes (or Gerard).*

PASSY, February 1, 1778.

The news you have received from England (as to alleged reconciliation) can not be true. No treaty would be entered into with Howe by Washington when the Congress was at hand; and Howe could have no propositions to make but such as were authorized by the act of Parliament, and had been long since rejected, viz, *Pardon upon submission*. In short, we esteem the story of a treaty with America to be merely an artifice of the stock-jobbers to keep up the funds.

Franklin to Hutton.†

PASSY, February 1, 1778.

MY DEAR OLD FRIEND : You desired that if I had no proposition to make I would at least give my advice.

I think it is Ariosto who says that all things lost on earth are to be found in the moon, on which somebody remarked, that there must be a great deal of good advice in the moon. If so, there is a good deal of mine formerly given and lost in this business. I will, however, at your request, give a little more, but without the least expectation that it will be followed; for none but God can at the same time give good counsel and wisdom to make use of it.

You have lost by this mad war, and the barbarity with which it has been carried on, not only the Government and commerce of America, and the public revenues and private wealth arising from that commerce, but what is more, you have lost the esteem, respect, friendship, and affection of all that great and growing people, who consider you at present, and whose posterity will consider you, as the worst and wickedest nation upon earth. A peace you may undoubtedly obtain by dropping all your pretensions to govern us; and by your superior skill in huckstering negotiations you may possibly make such an apparently

* 8 Sparks' Franklin, 232. A fuller copy of this letter is in the Lee papers, Harvard library, addressed to Gerard, dated Feb. 22, 1778. It is referred to in a letter from Franklin to A. Lee, of Mar. 17, 1778.

† MSS. Dept. of State; 2 Sparks' Dip. Rev. Corr., 22; 6 Big. Franklin, 125.

advantageous bargain as shall be applauded in your Parliament; but if you can not with the peace recover the affections of that people, it will not be a lasting nor a profitable one, nor will it afford you any part of that strength which you once had by your union with them, and might (if you had been wise enough to take advice) have still retained.

To recover their respect and affection you must tread back the steps you have taken.

Instead of honoring and rewarding the American advisers and promoters of this war you should disgrace them, with all those who have inflamed the nation against America by their malicious writings, and all the ministers and generals who have prosecuted the war with such inhumanity. This would show a national change of disposition, and a disapprobation of what had passed.

In proposing terms, you should not only grant such as the necessity of your affairs may evidently oblige you to grant, but such additional ones as may show your generosity, and thereby demonstrate your goodwill. For instance, perhaps you might by your treaty retain all Canada, Nova Scotia, and the Floridas; but if you would have a real friendly as well as able ally in America, and avoid all occasion of future discord, which will otherwise be continually arising on your American frontiers, you should throw in those countries. And you may call it, if you please, an indemnification for the burning of their towns; which indemnification will otherwise be some time or other demanded.

I know your people will not see the utility of such measures, and will never follow them, and even call it insolence and impudence in me to mention them.

I have, however, complied with your desire, and am, as ever, your affectionate friend,

B. FRANKLIN.

FEBRUARY 12, 1778.

P. S.—I wrote the above some time before I received yours, acquainting me with your speedy and safe return, which gave me pleasure. I doubted after I had written it whether it would be well to send it; for as your proud nation despises us exceedingly, and demands and expects absolute and humble submission, all talk of treaty must appear impudence and tend to provoke rather than conciliate. As you still press me by your last to say something, I conclude to send what I had written, for I think the advice is good, though it must be useless; and I can not, as some amongst you desire, make propositions, having none committed to me to make; but we can treat if any are made to us; which, however, we do not expect. I abominate with you all murder; and I may add, that the slaughter of men in an unjust cause is nothing less than murder; I therefore never think of your present ministers and their abettors, but with the image strongly painted in my view of their hands red,

wet, and dropping with the blood of my countrymen, friends, and relations. No peace can be signed by those hands.

Peace and friendship will, nevertheless, subsist forever between Mr. Hutton and his affectionate friend.*

B. F.

M. Gerard to the Commissioners at Paris.

[Translation.]

VERSAILLES, February 2, 1778.

GENTLEMEN: I have acquainted his majesty's ministers with the fresh demand respecting the 11th and 12th articles of the treaty of commerce. The king having approved these two articles agreeable to your unanimous wishes, they can not be submitted to a new examination without inconvenience and considerable delay.

I am therefore charged to send you the French copies of the two treaties, that you may have them transcribed side by side with the English translation, and when this is done, I trust you will give me notice.

The only remark which I have to offer is on the sixth article of the treaty of alliance. It stands the same as when it was read, with the addition of the Bermudas, concerning which there was a question in our last conference. I have found another change in one of the sheets of observations which have been sent to me. I should wish that the object of this addition should be treated in a conference. I have been charged to explain to you the reasons which prevent the ministers from agreeing to it, and I am ready to fulfill this object.

I have the honor to be, etc.,

GERARD.

P. S.—The translation of the two treaties appears to me well made, and I have no remarks to add in regard to it.

A. Lee to Schulenburg.†

FEBRUARY 2, 1778.

SIR: I was honored with yours of the 16th of January, some few days since, and have delayed an answer in hopes that dispatches from America would have enabled me to give your excellency some accept-

* "James Hutton was for many years secretary to the Society of Moravians, and sustained a very estimable character. He seems to have gone to Paris on some private agency with reference to a peace. An intimate friendship subsisted between him and Dr. Franklin. He died in England on the 25th of April, 1795, in his eightieth year."—SPARKS: "He was a well-known character and generally esteemed."—BIGELOW. (See notice in Introduction, § 201.)

† 1 Sparks' Dip. Rev. Corr., 472; see introduction, § 46.

‡ 1 Sparks' Dip. Rev. Corr., 473.

able intelligence; but in this I am disappointed, so that we have nothing but the relations of the enemy to direct our judgment of the present situation of things in and near Philadelphia. There is one thing, however, that must strike your excellency in General Howe's narration, which is, that in attempting to make his forward movement he was constantly attacked instead of attacking; and, however well he might have defended himself, he was obliged to measure back his ground and put his army into winter quarters. His tranquillity, or even safety there, will depend much upon the mildness of the winter and the equipment of the army of the United States for a campaign in that rigorous season. If the winter is severe, and General Washington's army tolerably provided, it seems to me that General Howe's situation will be far from being that of security.

Congress have approved of the convention with General Burgoyne. The enemy is driven back entirely into Canada, after blowing up the works of Ticonderoga, and New York is pressed on all sides.

The 4th and the 11th were the letters I referred to, and I have had the honor of receiving those your excellency mentions.

I hope the period for executing his majesty's most gracious purpose towards us is not remote, as well as that of the reduction of the British power within the limits of due respect for other powers.

I thank your excellency a thousand times for the facilities you have procured us in the supplying of ourselves with arms. But I find things must be more arranged before we can avail ourselves of your goodness. The enemy's preparations are more sounding than substantial. They mark a radical weakness, and will certainly be impotent when we are fortified with alliances.

I have the honor to be, etc.,

ARTHUR LEE.

Adams to Lafayette.*

BRAINTREE, February 3, 1778.

SIR: I had yesterday the honor of receiving from the hand of my worthy friend, General Knox, your kind letter to me, together with five others, which, with submission to the fortune of war, shall be conveyed and delivered as you desire. I am happy in this opportunity to convey intelligence from you to your friends, and think myself greatly honored and obliged by your politeness and attention to me, a favor which makes me regret the more my misfortune in not having had the honor heretofore of a more particular acquaintance with a nobleman who has endeared his name and character to every honest American and every sensible friend of mankind by his efforts in favor of the rights of both, as unexampled as they were generous. I thank you, sir, for the kind ad-

* 7 J. Adams' Works, 12.

vice communicated by General Knox,* to which I shall carefully and constantly attend. Shall at all times be happy to hear of your welfare, and to have an opportunity of rendering you any service in my power.

I have the honor to be, with the greatest respect and esteem, sir, your most obedient and obliged humble servant,

JOHN ADAMS.

Witherspoon, et al., Committee of Foreign Affairs, to Izard.[†]

YORK, February 5, 1778.

SIR: Your letter from Paris of October 6th, last year, being read in Congress, afforded much satisfaction, as it signified your acceptance of the commission which had been sent by Captain Young, and also held up a prospect of your obtaining a loan of money in Italy. Our apprehensions of danger to our liberties are reduced to the one circumstance of the depreciation of our currency from the quantity which we have been obliged to issue. The different states are sinking their own emissions and going largely into taxation for continental purposes; but it will require more time than we wish before the good policy of taxation can have full effect upon the currency; therefore, Congress have given, in regard to you, the same instructions as to the gentlemen at the courts of France and Spain, and we doubt not of your best exertions.

We wish you success in the business of the inclosed resolves, as well as in every other undertaking for the good of the public or for your own personal felicity. We must leave you very much from time to time to receive intelligence of our affairs from other commissioners, to whom we shall have a more ready channel of conveyance than to you.

We are, with much regard, etc.,

J. WITHERSPOON.

J. LOVELL.

Johnstone to Morris.[‡]

HOUSE OF COMMONS, February 5, 1778.

MY DEAR SIR: I have but a moment to write this letter before the packet is closed. But our correspondence must now necessarily be short.

A reconciliation between Great Britain and the American Colonies upon the footing of the most perfect freedom as fellow-subjects is the object on earth I have most at heart.

Though I am not in the secrets of Government here and have strongly

* As to the substance of this conversation, see the Autobiography of J. Adams, 3 Adams' Works, p. 92.

† 1 Sparks' Dip. Rev. Corr., 655.

‡ MSS. Dep. of State, vol. 13, No. 78.

opposed all those measures which are deemed oppressive to America, and have constantly supported those claims against British taxation and the altering of the charters of government by the mere authority of Parliament, yet I have heard a hint, and I have good reason to think, a proposition will be made to Parliament in four or five days by administration that may be a ground of reunion. I really do not know the particulars, nevertheless, as I have learned, some preliminaries of a treaty have lately gone to France, I think it can not be deemed unfriendly to either country to give you notice of this intended proposition, that you may in prudence do nothing hastily with foreign powers but wait a short time the issue; for I am conscious, from your integrity and patriotism, which I have long admired, that as nothing but necessity forced you to take up arms, so nothing but necessity or honorable engagements will force you to adopt a final separation of interests.

I am, as always, your sincere and affectionate friend,

GEO. JOHNSTONE.

Hon. ROBERT MORRIS, etc.,
Pennsylvania.

Copy from the original, which was read in Congress April 27, 1778, and returned to Mr. Morris.

CHAS. THOMSON, Sec'y.

Form of the Passport to be given to Ships or Vessels, conformable to the Thirtieth Article of this Treaty.*

FEBRUARY 6, 1778.

To all who shall see these presents, greeting :

Be it known that leave and permission are hereby given to A. B., master and commander of the ship or vessel called ——, of the (city, town, etc.), of ——, burden ——, tons or thereabouts, lying at present in the port or haven of ——, bound for ——, and laden with ——, to depart and proceed with his said ship (or vessel) on the said voyage; such ship (or vessel) having been visited and the said master and commander having made oath before the proper officer that the said ship (or vessel) belongs to one (or more) of the subjects, people, or inhabitants of ——, and to him (or them) only.

In witness whereof we have subscribed our names to these presents and affixed the seal of our arms thereto, and caused the same to be countersigned by ——, at ——, this — day of —, in the year of our Lord Christ —.

* MSS. Dep. of State.

Form of the Certificate to be given to Ships or Vessels conformable to the Thirteenth Article of this Treaty.

We, _____, magistrates (or officers of the customs) of the port or haven of _____, do certify and attest, that on the _____ day of _____, in the year of our Lord _____, C. D., of _____, personally appeared before us, and declared by solemn oath that the ship (or vessel) called _____, of _____ tons or thereabouts, whereof _____, of _____, is at present master and commander, does rightfully and properly belong to him (or to him and _____) subject (or subjects) of _____, and to him (or them) only; that she is bound from the port or haven of _____ to the port of _____, laden with goods and merchandises hereunder particularly described and enumerated, as follows _____.

In witness whereof we have signed this certificate and sealed it with the seal of our office this _____ day of _____, in the year of our Lord Christ _____.

W. Lee to President of Congress.*

PARIS, February 7, 1778.

HONORABLE SIR: I beg leave to refer to my several letters for Congress addressed to you and to Charles Thomson, esq., their secretary, and as Congress will be fully and regularly informed by this opportunity of the happy situation of our affairs here at this time, and of the astonishing alteration that has taken place in our favor since advice was received of the success of the American arms in making captive General Burgoyne and his army, and the very respectable figure made by your main army in opposition to General Howe. I shall shortly mention that the death of Mr. Thomas Morris the 31st ultimo, at Nantes, obliges me to go down there to take care of the public commercial concerns that were in his hands, and to establish proper persons in the different ports to take care of any vessels or remittances that may happily arrive from the secret committee until their further pleasure is known. I expect this business will detain me about a fortnight, after which I shall immediately go to Vienna, to pursue the orders of Congress at that court, and shall from thence proceed to Berlin as soon as it is agreeable to his Prussian Majesty, who by his minister has assured me that he will acknowledge our independence as soon as France has done so; but as the French ministry have enjoined secrecy here with respect to what has passed until their measures are more matured for immediate action, we can not as yet announce it to the Prussian court. I must beg leave to observe that my commission to the court of Vienna *only* authorizes me to treat with the *Emperor* of Germany, whereas his mother, the empress, is the reigning sovereign over all the Austrian dominions, in Germany and elsewhere. The emperor being only head of the German

Empire, in which capacity he is of importance to be cultivated in order to obstruct Great Britain in the object of obtaining German troops to send against us. The empress, as is not unusual in such cases, is very jealous of her authority and rights of government, and consequently will not let the emperor, her son and heir, interfere in any manner whatever with them. I therefore submit to Congress whether it will not be proper to transmit immediately to me full powers to negotiate with the empress, as all treaties of commerce for the Austrian dominions must be made with her. Her title is, The Most Serene and Most Potent Maria Theresa, Empress, Queen of Hungary, Bohemia, Archduchess of Austria, etc.*

I have the honor, etc.,

WILLIAM LEE.

Franklin and Deane to the President of Congress.†

PASSY, February 8, 1778.

SIR: We have now the great satisfaction of acquainting you and the Congress that the treaties with France are at length completed and signed. The first is a treaty of amity and commerce, much on the plan of that projected in Congress;‡ the other is a treaty of alliance, in which it is stipulated that in case England declares war against France, or occasions a war by attempts to hinder her commerce with us, we should then make common cause of it and join our forces and councils, etc. The great aim of this treaty is declared to be to "establish the liberty, sovereignty, and independency, absolute and unlimited, of the United States, as well in matters of government as commerce;" and this is guaranteed to us by France, together with all the countries we possess or shall possess at the conclusion of the war; in return for which the States guaranty to France all its possessions in America. We do not now add more particulars, as you will soon have the whole by a safer conveyance, a frigate being appointed to carry our dispatches. We only observe to you, and with pleasure, that we have found throughout this business the greatest cordiality in this court; and that no advantage has been taken or attempted to be taken of our present difficulties to obtain hard terms from us; but such has been the king's magnanimity and goodness, that he has proposed none which we might not readily have agreed to in a state of full prosperity and established power. The principle laid down as the basis of the treaty being, as declared in the preamble, "the most perfect equality and reci-

* See *supra*, W. Lee to the President of Congress, January 22, 1778.

† MSS. Dep. of State; 1 Sparks Dip. Rev. Corr. 285.

‡ "This *plan of a treaty* is contained at length in the *Secret Journals of Congress*, vol. 2, p. 7. It is accompanied with a draft of instructions to the Commissioners who were to propose it, in which modifications are suggested."—SPARKS.

procity;" the privileges in trade, etc., are mutual, and none are given to France but what we are at liberty to grant to any other nation.

On the whole, we have abundant reason to be satisfied with the good-will of this court and of the nation in general, which we therefore hope will be cultivated by the Congress by every means which may establish the Union and render it permanent. Spain being slow, there is a separate and secret clause, by which she is to be received into the alliance upon requisition, and there is no doubt of the event. When we mention the good-will of this nation to our cause, we may add that of all Europe, which having been offended by the pride and insolence of Britain, wishes to see its power diminished; and all who have received injuries from her are by one of the articles to be invited into our alliance. The preparations for war are carried on with immense activity and it is soon expected.

With our hearty congratulations and our duty to the Congress, we have the honor to be, very respectfully, etc.,

B. FRANKLIN.
SILAS DEANE.

Journal of Congress.*

FEBRUARY 9, 1778.

Resolved, That the committee of commerce be empowered and directed to write to the commissioners at the court of France, desiring them to appoint one or more suitable persons to be commercial agents for conducting the commercial business of the United States in France and other parts of Europe.

A. Lee to the Committee of Foreign Affairs.†

PARIS, February 10, 1778.

GENTLEMEN: The inclosed memorial and letter to Count de Florida Blanca‡ will inform you particularly of my proceedings in Spain, with the reasons of the cautious conduct of that court, which I did not think it safe to communicate before. France is now prepared; the war with Portugal is happily concluded by her accession to the family compact, and there remains only the hazard of the treasure at sea, which is expected in April next. When that arrives I have no doubt of their acceding to the treaties signed here and joining in the war, which, it seems probable, will be declared before that time between France and England.

* MSS. secret journals, Dep. of State; printed secret journals.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 474; 2 A. Lee's Life, 33.

‡ See *supra*, p. 280.

From the inclosed accounts you will also see what has been sent from the house of Gardoqui, in pursuance of orders from the Spanish court, and what by my order, which I am to pay for out of the fund remitted me from Spain of 170,000 livres. This fund would have been applied in time to have had the blankets, etc., with you for the winter's campaign but for the following reason: On my return from Germany, in August, I found that, from various expensive purchases, not only all our funds from our friends here had been exhausted, but we also involved in a considerable debt, and not half of your orders fulfilled, nor any funds to answer your draughts. It was, therefore, thought prudent to retain that sum till we were sure of an additional supply from hence. The moment this was secured I sent orders for the shipping of blankets and stockings, which are certainly cheap, and I hope will be of use. Upon this mercantile subject I must beg leave to observe that I have had nothing more to do with the proceedings of that kind here but signing my name to contracts made by my colleagues, or rather by Mr. Deane. You will, I presume, be able to judge, by the manner in which near five millions of livres have been expended, whether it is wise to unite the political and commercial characters.

I am given to understand that Spain will wish to have the possession of Pensacola secured to her in the treaty. I shall hope to receive the commands of Congress upon that point as soon as possible. Perhaps Congress may think that circumstances are materially changed since the passing the resolve on this subject December 30, 1776, and that the Mississippi is likely to be the only permanent boundary between the two people.

[Here follows in the manuscript the letter of January 16, 1778, from the Prussian secretary of state, given *supra* p. 472.]

I beg the favor of having my duty recommended to Congress, and have the honor to be, etc.,

ARTHUR LEE.

Franklin to Hartley.*

PASSY, February 12, 1778.

DEAR SIR: A thousand thanks for your so readily engaging in the means of relieving our poor captives, and the pains you have taken and the advances you have made for that purpose. I received your kind letter of the 3d instant, and send you enclosed a bill of £100. I much approve of Mr. Wren's prudent as well as benevolent conduct in the disposition of the money, and wish him to continue doing what shall appear to him and to you to be right, which I am persuaded will appear the same to me and my colleagues. I beg you will present him, when you write, my respectful acknowledgments.

* 2 Sparks' Dip. Rev. Corr. 24; 6 Bigelow's Franklin, 128.

Your "earnest caution and request that nothing may ever persuade America to throw themselves into the arms of France, for that times may mend, and that an American must always be a stranger in France, but that Great Britain may for ages to come be their home," marks the goodness of your heart, your regard for us, and love of your country. But when your nation is hiring all the cut-throats it can collect, of all countries and colors, to destroy us, it is hard to persuade us not to ask or accept aid from any power that may be prevailed with to grant it; and this only from the hope that though you now thirst for our blood and pursue us with fire and sword, you may in some future time treat us kindly. This is too much patience to be expected of us; indeed, I think it is not in human nature.

The Americans are received and treated here in France with a cordiality, a respect, and affection they never experienced in England when they most deserved it; and which is now (after all the pains taken to exasperate the English against them and render them odious as well as contemptible) less to be expected there than ever. And I can not see why we may not, upon an alliance, hope for a continuance of it, at least as much as the Swiss enjoy, with whom France have maintained a faithful friendship for two hundred years past, and whose people appear to live here in as much esteem as the natives. America has been *forced* and *driven* into the arms of France. She was a dutiful and virtuous daughter. A cruel mother-in-law turned her out of doors, defamed her, and sought her life. All the world knows her innocence and takes her part, and her friends hope soon to see her honorably married. They can never persuade her return and submission to so barbarous an enemy. In her future prosperity, if she forgets and forgives, it is all that can be reasonably expected of her. I believe she will make as good and useful a wife as she did a daughter, that her husband will love and honor her, and that the family from which she was so wickedly expelled will long regret the loss of her.

I know not whether a peace with us is desired in England; I rather think it is not at present, unless on the old impossible terms of submission and receiving pardon. Whenever you shall be disposed to make peace upon equal and reasonable terms you will find little difficulty if you get first an honest ministry. The present have all along acted so deceitfully and treacherously, as well as inhumanly, towards the Americans, that I imagine that the absolute want of all confidence in them will make a treaty at present between them and the Congress impracticable.

The subscription for the prisoners will have excellent effects in favor of England and Englishmen. The Scotch subscriptions for raising troops to destroy us, though amounting to much greater sums, will not do their nation half so much good. If you have an opportunity I wish you would express our respectful acknowledgments and thanks to your committee and contributors, whose benefactions will make our poor

people as comfortable as their situation can permit. Adieu, my dear friend. Accept my thanks for the excellent papers you enclosed to me. Your endeavors for peace, though unsuccessful, will always be a comfort to you, and in time when this mad war shall be universally execrated, will be a solid addition to your reputation.

I am ever, with the highest esteem, etc.,

B. FRANKLIN.

P. S.—An old friend of mine, Mr. Hutton,* a chief of the Moravians, who is often at the queen's palace, and is sometimes spoken to by the king, was over here lately. He pretended to no commission, but urged me much to propose some terms of peace, which I avoided. He has written to me since his return pressing the same thing, and expressing with some confidence his opinion that we might have everything short of absolute independence, etc. Enclosed I send my answers open, that you may read them, and, if you please, copy, before you deliver or forward them. They will serve to show you more fully my sentiments, though they serve no other purpose.

B. F.

A. Lee to the Committee of Foreign Affairs.†

PARIS, February 15, 1778.

GENTLEMEN: I have before written to you the reason I had to conceive that M. de Beaumarchais's demands of payment for the supplies furnished in the *Amphitrite*, *Mercury*, and *Flammand*, are unjust. The following testimonial from Count Lauragais will corroborate what I informed you, relative to his having himself proposed the supplies to me as a subsidy from the Court. Mr. Wilkes knows it more accurately, but his situation prevents him from giving it under his hand. The ministry, as you will see by our joint letter, have often given us to understand that we are not to pay for them, yet still M. de Beaumarchais, with the perseverance of such adventurers, persists in his demand. He alleges some promise or agreement made with Mr. Deane. I should suppose Mr. Deane would have apprised you of it, if any such exists. But certainly Dr. Franklin and myself are kept so much in the dark about the existence of such agreement as to expose us to much unnecessary plague from this M. de Beaumarchais, who I can not think has any right to make the demand in question.‡ A copy of the following declaration

* See as to Hutton, Introduction, § 201, and also Franklin to Hutton, Feb. 1, 1778, March 24, 1778.

† 1 Sparks' Dip. Rev. Corr. 475.

‡ Mr. Lee seemed to be somewhat less certain afterwards, having in the mean time conversed repeatedly with M. de Beaumarchais on the subject. Writing to Mr. Pringle, July 4, 1779, he says: "I absolutely do not know whether Beaumarchais is right or wrong; and, while it is doubtful, one would not impeach his character."—SPARKS.

As to the accuracy of Arthur Lee's memory in this matter, see Introduction, § 142.

has been given to Count Maurepas, but I have not heard his sentiments upon it.*

I have the honor to be, etc.,

ARTHUR LEE.

TESTIMONIAL OF COUNT LAURAGAIS.

I was present in Mr. Arthur Lee's chamber in the Temple, London, some time in the spring of the year 1776, when Caron de Beaumarchais made offers to Mr. Lee to send supplies of money and stores, through the islands, to the Americans, to the amount of two hundred thousand louis d'or, and he said he was authorized to make those proposals by the French court.

PARIS, February 8, 1778.

Franklin, Deane and Lee to the Committee of Foreign Affairs.†

PASSY, February 16, 1778.

GENTLEMEN: We have now the pleasure of sending you the treaties of amity and alliance which France completed, after long deliberation, and signed the 6th instant. This is an event which will give our States such an appearance of stability as must strengthen our credit, encourage other powers in Europe to ally themselves with us, weaken the hopes of our internal as well as our external enemies, fortify our friends and be in many other respects so advantageous to us that we congratulate you upon it most heartily. And we flatter ourselves that the Congress will approve of the terms, and dispatch the ratifications as soon as possible. It is understood that Spain is shortly to accede to the same treaties. We have in ours of December 18, mentioned the reasons of her delay, which still subsist, but will probably not subsist much longer. These treaties continue a secret here, and may do so till the commencement of the war, which is daily expected. Our little fleet formerly mentioned, which has been long watched and detained in Nantes river by the English cruisers off Belisle, is now on the point of sailing under the convoy of a French squadron. As the English are pretty strong in the bay, it is probable that their attack and the French defense of our ships may be the prelude of a declaration on both sides.

Having received part of the 3,000,000 livres we formerly mentioned to you, we have furnished Mr. W. Lee and Mr. Izard with 2,000 guineas

* See also on this subject, *supra*, A. Lee to Committee on Foreign Affairs, October 6, 1777, *note*; and for some further particulars respecting Count Lauragais, see Deane to A. Lee, June 1, 1778, *infra*.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 266, with verbal changes; 2 A. Lee's Life, 35.

each for the expenses of the missions to Germany and Italy. And as we have received intimations from Holland that the appearance of one of us there might at this juncture have good effects, we have resumed the purpose formerly communicated to you, and as soon as our treaty with France is known and the winter over, probably either Mr. Deane or Mr. Franklin will make a journey thither.

But as we apprehend it may be known here, by some means or other, should we furnish the expense of these embassies out of the aids received from this court, which we think not reputable to the Congress, we must again press you to make us the necessary remittances to replace what we have borrowed from the fund destined for your supplies; and particularly we pray more earnestly that you would forward as soon as possible the five thousand hogsheads of tobacco for the Farmers General, who will soon be in want of it, and who long since advanced us a million for your use. Our honor is concerned in the fulfillment of this contract.

The seizing and delivering up to the English two prizes taken by Captain Babson, on account of their being illegally entered under a false declaration, made a good deal of noise among our people in the ports, and gave unfavorable impressions of the friendship of this court, which possibly may extend to America. We think it therefore necessary to inform you that though the confiscation of these prizes on the above account is *said to be* agreeable to the laws here, yet the king, after a condemnation, had the power of disposing of the produce for what purpose, political or otherwise, he might think proper, and accordingly restored it at this juncture, perhaps usefully, to the English claimants. Yet, as it is thought a hard case with respect to the captors, a beginning is made of indemnification, and we hope on the same principle on which we are to receive soon a part (50,000 livres) we shall be able in time to recover the whole.

We have, to avoid disputes at a particular time, delivered up the cargo brought by the *Amphitrite* to M. Beaumarchais. We hear he has sent over a person to demand a great sum of you on account of arms, ammunition, etc. We think it will be best for you to leave the demand to be settled by us here, as there is a mixture in it of public and private concern which you can not so well develop.

We send you herewith a great many newspapers. You will see Lord North's only answer to our application about the prisoners; as also the success of a subscription set on foot in England by our friends for their relief. They are at present pretty comfortably provided for.

By our late advices from England the ministers began to be alarmed for their country, and perhaps for themselves. Some of their emissaries have been here to sound us, and endeavor to get from some of us propositions on which to found a treaty, which we evaded generally, as not being empowered to make any; and apprehending withal that even reasonable ones proposed by us might be used improperly by the

ministry to exasperate, instead of conciliating, the pride of the nation, choosing still to consider us as subjects. Many of the speakers in Parliament, of both houses, seem to look upon a French war at this juncture, when so much of their force is abroad and their public credit so shaken, as immediate ruin. And we are assured by the last post, from good authority, that even Lord Mansfield, who in the beginning of this business was so valiant, spoke lately in private to Lord Camden of the absolute necessity of an immediate coalition of parties to prevent the great impending danger to the nation from an alliance between the house of Bourbon and the Americans, which he said he had good information was on the point of being concluded.

We have the honor of being, with the highest esteem, gentlemen,
your most obedient, humble servants,

B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

Izard to Henry Laurens, President of Congress.*

PARIS, February 16, 1778.

DEAR SIR : I mentioned in my last letter what good effects the successes of the American arms have produced here. Nothing could have happened more seasonably. Our affairs were in a very unpromising state, and had our military operations failed, our commissioners would not have found themselves more acceptable here than at St. James's. This, however, affords a very satisfactory reflection to every American who loves his country ; which is, that she owes her liberty and happiness to her own virtuous exertions.

The commissioners will by this opportunity send to Congress the treaty of commerce which was signed here a few days ago. This treaty has not been much altered from the one agreed upon by Congress in September, 1776, and transmitted to the commissioners to be proposed to the court of France. The principal alteration is that respecting molasses. The twelfth article in the original treaty requires that " no duty shall be imposed on the exportation of molasses from any of the islands, of the most christian king in the West Indies to any of the United States." When this proposition was made to the French ministry, it was objected that this would be laying the king under a disagreeable restraint, and would be, in fact, making him not master in his own dominions ; but that the States might be perfectly easy on that point, as it was inconsistent with the policy of France ever to lay a duty on molasses. One of the commissioners still discovered a great inclination to have the article inserted in the treaty, and the ministry, believing, from this circumstance, that Congress had made a point of it, thought it a

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 656, with omissions and verbal changes.

good opportunity to secure an exemption from all duty upon tobacco exported to every part of the French dominions, and proposed it as an equivalent. The commissioners objected to any particular article being selected, lest it might be complained of as a partiality, and offered to exempt from duty not only tobacco, but every other production of the United States that should be exported to the West Indies, provided molasses should be exempted from duty. This was so advantageous a proposal, that it was immediately accepted by them.

While this matter was depending, it appeared to me that a very disadvantageous bargain was about to be made on our part, and I did everything in my power to prevent it. Mr. Lee, and his brother, who is commissioner for the court of Vienna, agreed with me perfectly in opinion. The execution of the treaty being committed entirely to the commissioners at this court, neither Mr. William Lee nor I had any vote in the business. Dr. Franklin and Mr. Deane continuing determined to have the molasses exempted from duty, the article was agreed to, and now forms part of the treaty.* I understand, however, that if Congress objects to it, there is a verbal promise on the part of France that it shall be expunged.

[I look upon you as my friend, and therefore lay my sentiments freely before you, and confess to you that nothing ever surprised me so much in my life as the proceedings of the two eldest commissioners in this business. Had they been in polities as infallible as the Pope intends to be in matters of religion, they could not have acted in a greater degree of confidence; and upon every occasion they seem to consider themselves as the only persons interested in the fate of America. This conduct in one of the gentlemen astonishes me, and I can account for it no other way than by supposing him under the influence of the other, who does not appear to me the best qualified of any man I ever saw, for the character which he has the honor of filling. Upon my arrival here I found a great disunion among the commissioners, the two eldest constantly taking part against the youngest. This made me conclude that the latter must be to blame, especially as I never, during the many years that I have had the pleasure of his acquaintance, heard him accounted the mildest or gentlest man in the world. I immediately endeavored to accommodate these differences, but found it impossible. Both parties were too firmly convinced of the justice of their own complaints to take such steps as would put it in the power of a mediator to bring about an accommodation; and as I found that I was laboring in vain, I gave up the point. I can not say that Mr. Lee has been entirely blameless; but I must do him the justice to say that the conduct of the other gentlemen towards him has been unjustifiable, and such as could

* This, as has been seen, is an error, Franklin and Deane having agreed to the change, and the difficulty being technical on the part of the French minister. (*Supra*, Franklin to Gerard, Feb. 1, 1778.)

not fail of provoking any man not dead to all sense of injury. These proceedings, together with the misconduct of Mr. Morris, the commercial agent, have been, I am convinced, extremely injurious to our affairs, and have tended to lower the Congress in the opinion of the French court. Mr. Morris's irregularities however, have carried him to the grave.]*

Mr. Lee has received a commission for the court of Madrid; and the successes of America have once more put the French ministry into good humor, so that our affairs will, I hope, now go well. My gout, which has been very severe, is a great deal better, and as soon as the weather grows a little milder I intend setting out for Italy.

[I shall not be sorry to be separated from the two eldest commissioners here, whose proceedings I do not approve of. Their situation seems to have intoxicated them; and there is a degree of hauteur and presumption about one of them [Mr. D.] that can not fail of being offensive to any gentleman who has business to transact with him. I am well aware how fatal it is to have disagreements among those who are engaged in the service of the public, and I have taken great pains to avoid them.]*

Ships have been dispatched to America without the least notice given to me that I might get my letters ready; intelligence received from Congress, whatever the nature of it, has never been communicated to me but by report; and when the important news of General Burgoyne's surrender was received, Dr. Franklin and Mr. Deane did not think proper to give me any information about it, though I was confined to my bed. It did not seem decent that such an event should be communicated to me from any other quarter. These circumstances you will allow to be not very agreeable. I was determined, however, not to quarrel; it seemed to me better to bear with them, than to risk an addition to those animosities which I have already mentioned, and which I am convinced have been very prejudicial to our public affairs. That there might, however, be no excuse for the continuance of such conduct, I wrote a note to Dr. Franklin, appointed an interview, and with studied moderation mentioned such parts of his conduct as I disapproved of. He acknowledged everything, apologized for everything, and promised that in future I should have no reason to complain. He has not thought proper to be so good as his word, and his proceedings since have been more exceptionable than before. As far as he and Mr. Deane have had it in their power they have concealed from Mr. William Lee and me every proceeding respecting the treaty of commerce, which has for some time been negotiating, and I heartily wish they had carried it through without my having occasion to interfere. I thought it my duty so to do, and have sent you my letter to Dr. Franklin on the subject, with his trifling answer and my reply. This is all that has passed between

* Passages in brackets omitted in Sparks' ed.

us on the business, and the only satisfaction that I have in the matter is that the French minister has, in consequence of this correspondence, given the verbal promise already mentioned.

Should Congress be informed by either of the commissioners that there would have been danger of the miscarriage of the treaty if this article had not been inserted, you may depend upon it that is not true. The ministry were very willing to have the article respecting the molasses left out, and likewise that which has been agreed to by the commissioners as an equivalent. The instructions from Congress which accompanied the treaty did not authorize them to offer any equivalent. Congress seemed not to be much interested in the fate of the article, and the commissioners, instead of being empowered to offer such a sacrifice in favor of the New England provinces, were expressly enjoined to give up the article if any objection was made to it; taking it for granted, I suppose, that it never could enter into the head of a Frenchman to lay a duty on a commodity that, without the American market, would be totally useless to them. These are the words of their instructions: "The eleventh and twelfth articles are to be waived if you find that the treaty will be interrupted by insisting on them." How these gentlemen could take it upon them to act so directly in opposition to this instruction I cannot conceive. It is true they were both born in New England, but it is not to be supposed that they could be so forgetful of their duty to the public as to suffer themselves to be biased by any such motives.

I understand they intend to exert themselves in support of what they have done, and that they expect their arguments will prevail upon Congress to approve of the article. For my part I am convinced that the article is injurious to America, and therefore I have not only given myself, but you, a great deal of trouble about it, and bespeak attention to it, and hope that if you agree with me in opinion, you will not only oppose it yourself, but likewise make all the interest you can to get it expunged.

If you are acquainted with Mr. Duer I should be glad that you would communicate the contents of this letter to him, as I shall not be able to write to him by this opportunity. Everything seems to bear the strongest appearance of war in this country, and every Frenchman seems to be desirous of it. England on her part is making great preparations, and in all likelihood there will be a very bloody contest, as the two nations are exasperated against each other to a great degree. England entered foolishly into this business at first, and she does not yet seem perfectly convinced of her error, as she is going to plunge deeper into misfortune without men, money, or allies. Russia and Portugal are the only connections that she has. One of these powers is in such a state as rather to require than afford assistance, and the other will have enough upon her hands from the Turks. Holland has

manifested very unfriendly dispositions towards her, and the King of Prussia has given the most explicit and unequivocal assurance that he will be the second power in Europe to acknowledge the independence of America.

The death of the Elector of Bavaria was a circumstance that occasioned some alarm here, as it was feared that France might be forced into a Continental war in support of the succession of the elector palatine. This, however, in some degree has passed over, and I hope the German princes will be left to settle their differences by themselves.

In one of my letters I informed you that Congress had neglected to furnish Mr. William Lee and me with funds to support us in the characters they had done us the honor of investing us with. We were informed that the commissioners at this court were possessed of a very large sum of money belonging to Congress, and therefore applied to them for a letter of credit on their banker to the amount of two thousand louis d'ors, each of us, on the public account, which they gave us.

[In my former letters to you I desired you to direct yours to me to the care of the American commissioner at the court of France. The contents of this letter will show you the impropriety of such a direction. There is another very strong reason why I wish that this may not be done; which is, that Mr. Lee assures me he has discovered that his dispatches to Congress have been opened by one of his colleagues. I think you will join me in rejoicing that these gentlemen are soon to act in different departments. You will be so good as to address your letters to me to the care of Monsieur le Comte de Clouard, Rue Colbert, à Paris, and they will be forwarded to me into Italy.]*

You will likewise see how improper it will be for me to depend upon these gentlemen for information respecting the proceedings of Congress and the state of affairs in America. You will, I hope, take care that they be regularly transmitted to me, as it will be of great importance to me not to be neglected.

I am, dear sir, with great regard, etc.,

RALPH IZARD.

Congress.[†]

FEBRUARY 17, 1778.

On motion that the committee for foreign affairs be directed to write to the commissioners at Paris, and direct them, upon the application of the executive powers of any of these United States, to apply to the court

* Passage in brackets omitted in Sparks' ed.

† MSS. secret journals, Dep. of State; printed journals.

of France for an extension of the leave of absence to such French officers as may be employed in the service of such State:

New Hampshire.....	Mr. Frost.....	No	No.
Massachusetts Bay....	Mr. Lovell.....	Aye	x.
Rhode Island	Mr. Ellery	No	No.
Connecticut	{ Mr. Dyer	No	{ 0.
	{ Mr. Huntington	Aye	
	{ Mr. Witherspoon	Aye	{ No.
New Jersey	{ Mr. Clarke	No	
	{ Mr. Scudder	No	
	{ Mr. Roberdeau	Aye	
Pennsylvania	{ Mr. G. Smith	Aye	{ Aye.
	{ Mr. Clingan	Aye	
Delaware	Mr. McKean	Aye	Aye.
Maryland	{ Mr. Forbes	Aye	{ Aye.
	{ Mr. Henry	Aye	
Virginia.....	Mr. F. L. Lee.....	Aye	x.
North Carolina.....	Mr. Penn.....	Aye	Aye.
South Carolina.....	Mr. Laurens.....	Aye	Aye.
Georgia	{ Mr. Langworthy	Aye	{ Aye.
	{ Mr. Wood	Aye	

So it was resolved in the affirmative.

Franklin to Cushing.*

PASSY, February 21, 1778.

SIR: I received your favor by Mr. Austin, with your most agreeable congratulations on the success of the American arms in the northern department (Burgoyne's surrender). In return, give me leave to congratulate you on the success of our negotiations here in the completion of the two treaties with his most christian majesty; the one of amity and commerce on the plan of that proposed by Congress, with some good additions; the other of alliance for mutual defense, in which the most christian king agrees to make a common cause with the United States if England attempts to obstruct the commerce of his subjects with them, and guarantees to the United States their liberty, sovereignty, and independence, absolute and unlimited, with all the possessions they now have or may have at the conclusion of the war, and the States in return guarantee to him his possessions in the West Indies. The great principle in both treaties is a perfect equality and reciprocity; no advantage to be demanded by France, or privileges in commerce, which the States may not grant to any and every other nation.

In short, the king has treated with us generously and magnanimously; taken no advantage of our present difficulties to exact terms which we would not willingly grant when established in prosperity and power. I may add that he has acted wisely in wishing the friendship contracted

* 8 Sparks' Franklin, 239; 6 Bigelow's Franklin, 131.

by these treaties may be durable, which probably might not be if a contrary conduct had taken place.

Several of the American ships, with stores for the Congress, are now about sailing under the convoy of a French squadron. England is in great consternation, and the minister, on the 17th instant, confessing that all his measures had been wrong and that peace was necessary, proposed two bills for quieting America; but they are full of artifice and deceit, and will, I am confident, be treated accordingly by our country.

I think you must have much satisfaction in so valuable a son, whom I wish safe back to you, and am with great esteem, etc.,

B. FRANKLIN.

P. S.—The treaties were signed by the plenipotentiaries on both sides February 6, but are still for some reason kept secret, though soon to be published. It is understood that Spain will soon accede to the same. The treaties are forwarded to Congress by this conveyance.

Franklin to A. Lee.*

PASSY, *February 23, 1778.*

SIR: The enclosed, which you sent me, contained a letter from Mr. Hartley, in which he acquaints me that on the 17th Lord North had made his propositions towards a conciliation with America, and asked leave to bring in two bills, one to renounce all claim of taxation, the other to empower commissioners to treat with any persons or bodies of men in America on a peace; which was unanimously agreed to. He tells me Lord North had expressed to him the strongest desire of accommodation, and even wished him to come over to Paris and talk with us. I should send you the letter, which marks strongly the consternation they are in; but, M. Gerard having written a note acquainting Mr. Deane that they had news from England that a treaty was on foot between Washington and Howe, and desiring to know if we had any intelligence of it, I wrote the enclosed in answer, and sent Mr. Hartley's letter to him, to show that the ministers in England had no such news. Mr. Hartley refers me to Mr. Thornton for the titles of the two bills.

I return Mr. Thornton's letters.

I am, etc.,

B. FRANKLIN.

* MSS. Dep. of State; 6 Bigelow's Franklin, 134; 8 Sparks' Franklin, 240.

Franklin to Gerard.*

PASSY, February 24, 1778.

SIR: Understanding that reports have been spread at Versailles of treaties on foot in America between the Congress and the English commissioners, or here between us and the English ministry, I send you an American newspaper of December 19,[†] by which you will see, in the passages marked with a pen, in what manner such reports and those who occasion them are treated there. I send you also the only correspondence I have had which has any relation to the same subject here, that you may judge of the credit due to such reports.

I have, etc.,

B. FRANKLIN.

Franklin to Gerard.:[‡]

PASSY, February 25, 1778.

SIR: I received last night the enclosed letter from a member of Parliament and the two frivolous bills which the ministry in their present consternation have thought fit to propose, with a view to support their public credit a little longer at home and to amuse and divide, if possible, our people in America. You will see that they have dispatched a frigate with the news, but I hope yours from Bordeaux will arrive first.

I wish to have the original letters again when you have perused them.

I have, etc.,

B. FRANKLIN.

Franklin to Hartley.[§]

PASSY, February 26, 1778.

DEAR SIR: I received yours of the 18th and 20th of this month, with Lord North's proposed bills. The more I see of the ideas and projects of your ministry, and their little arts and schemes of amusing and dividing us, the more I admire the prudent, manly, and magnanimous propositions contained in your intended motion for an address to the king. What reliance can we have on an act expressing itself to be only a declaration of the *intention* of Parliament concerning the *exercise* of the right of imposing taxes in America, when in the bill itself, as well as in the title, a right is supposed and claimed which never existed;

* 6 Bigelow's Franklin, 135.

[†]This document, from the French ministry of foreign affairs, is thus endorsed: "Enclosing Independent Chronicle, Boston, 19 Dec., 1777." (Bigelow.) The letter is referred to by Franklin to A. Lee, Feb. 23, 1778, *supra*.

[‡]6 Bigelow's Franklin, 136.

[§]2 Sparks' Dip. Rev. Corr. 26; 6 Bigelow's Franklin, 136.

and a *present intention* only is declared not to use it, which may be changed by another act next session, with a preamble that, this *intention* being found expedient, it is thought proper to repeal this act, and resume the exercise of *the right* in its full extent. If any solid permanent benefit was intended by this, why is it confined to the Colonies of North America, and not extended to the loyal ones in the sugar islands? But it is now needless to criticise, as all acts that suppose your future government of the Colonies can be no longer significant.

In the act for appointing commissioners, instead of full powers to agree upon terms of peace and friendship, with a promise of ratifying such treaty as they shall make in pursuance of those powers, it is declared that their agreements shall have no force nor effect, nor be carried into execution, till approved of by Parliament; so that everything of importance will be uncertain. But they are allowed to proclaim a cessation of arms, and revoke their proclamation as soon as, in consequence of it, our militia have been allowed to go home; they may suspend the operation of acts prohibiting trade, and take off that suspension when our merchants, in consequence of it, have been induced to send their ships to sea; in short, they may do everything that can have a tendency to divide and distract us, but nothing that can afford us security. Indeed, sir, your ministers do not know us. We may not be quite so cunning as they, but we have really more sense, as well as more courage, than they have ever been willing to give us credit for; and I am persuaded these acts will rather obstruct peace than promote it, and that they will not answer in America the mischievous and malevolent ends for which they were intended. In England they may indeed amuse the public creditors, give hopes and expectations that shall be of some present use, and continue the mismanagers a little longer in their places. *Voila tout!*

In return for your repeated advice to us not to conclude any treaty with the house of Bourbon, permit me to give (through you) a little advice to the whigs in England. Let nothing induce them to join with the tories in supporting and continuing this wicked war against the whigs of America, whose assistance they may hereafter want to secure their own liberties, or whose country they may be glad to retire to for the enjoyment of them.

If peace, by a treaty with America upon equal terms, were really desired, your commissioners need not go there for it; supposing, as by the bill they are empowered "to treat with such person or persons as in their wisdom and discretion they shall think meet," they should happen to conceive that the commissioners of the Congress at Paris might be included in that description.

I am ever, dear sir, etc.,

B. FRANKLIN.

P. S.—Seriously, on further thoughts, I am of opinion, that if wise and honest men, such as Sir George Saville, the Bishop of St. Asaph,

and yourself, were to come over here immediately with powers to treat, you might not only obtain peace with America, but prevent a war with France.

A. Lee to Franklin and Deane.*

CHAILLOT, February 26, 1778.

GENTLEMEN: The return of our dispatches by Mr. Simeon Deane appears to me to be an event from which great public consequences may flow. I therefore feel it the more extraordinary that you should have taken any steps in it without a consultation with me. And this more especially after I have so lately remonstrated against a similar conduct. I was silent upon it to-day when Dr. Franklin mentioned that Mr. Deane was gone upon this business to Versailles without my knowledge, not because I did not feel the impropriety of it, but because I do, and have always wished, to avoid the indecency of a personal altercation.

In my judgment the failure of our dispatches is an event which will warrant our desire to be immediately acknowledged by this court; and such acknowledgment will have a powerful effect in preventing the success of the overtures from England and securing the peace and independency of America. The strong impression of the unfavorable disposition of this court towards us, which former proceedings made on every mind, will reach America by a thousand channels. Our contradiction of it being unfortunately frustrated, will possibly commit our countrymen into measures which a knowledge of the true state of things would have prevented. A public acknowledgment of us would reach America by numberless ways, and give them a decided proof of the sincerity and determination of France. Our dispatches are a private and single channel, and may fail or arrive too late. With respect to us, the covert proceedings of France leaves them too much at liberty to renounce us on any unfortunate event, and is a situation in which I think it neither for our honor nor safety to remain. These are sentiments which I submit to your better judgment, and beg we may have a consultation on the subject as soon as possible.

I have the honor to be, etc.,

ARTHUR LEE.

Franklin and Deane to A. Lee.†

PASSY, February 27, 1778.

SIR: The greater the public consequences that may flow from the return of our dispatches, the more necessary it seemed the court should be immediately acquainted with it, that the miscarriage might as soon as

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 476.

† Ibid., 477.

possible be repaired. It was near nine at night when the news arrived, and Mr. Deane set out immediately. If we could have imagined it necessary to have a consultation with you on so plain a case, it would necessarily have occasioned a delay of that important business till the next day. He has been at Versailles, and obtained an order for another and larger frigate, and an express to be immediately sent off carrying that order, that she may be ready. We think that Mr. Deane deserves your thanks, and that neither of us deserves your censure. We are at present both engaged in copying the treaties, which will employ us closely till Sunday. After they are gone, we shall be ready to enter into the consultation you propose relating to our being publicly acknowledged here.

We have the honor to be, etc.,

B. FRANKLIN.
SILAS DEANE.

Franklin, Dean and Lee to the Committee of Foreign Affairs.*

PASSY, February 28, 1778.

GENTLEMEN: Our dispatches of December 18, which would have acquainted you with the state of our affairs here and our expectations of a speedy conclusion of the treaties with this court, are unfortunately returned, the French man-of-war which went on purpose to carry them having met with some disasters at sea, which obliged her to put back after a long struggle of six weeks against contrary winds. We now have obtained another ship to sail with them immediately and with our fresh dispatches, containing the treaties themselves, which were happily concluded and signed the 6th instant, though hitherto, for some political reasons, kept a secret from the public.

The English Parliament adjourned in December for six weeks. During that time their ministers strained every nerve to raise men for their armies, intending to continue the war with vigor. Subscriptions were set on foot to aid Government in the expense, and they flattered themselves with being able to enlist ten thousand volunteers; but whether they found this impracticable, or were discouraged by later accounts from America, or had some intimations of our treaties here, their vaunts and threats are suddenly abated, and on the 17th Lord North made a long discourse, acknowledging the errors of their former conduct in the war with America, and proposing to obtain peace by the means of two bills, of which we enclose copies.

We make no remark on these bills. The judgment of the Congress can be at no loss in determining on the conduct necessary to be held with regard to them; and we are confident that they will not answer the purpose of *dividing* in order to *subjugate*, for which they are evi-

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 269.

dently intended. Our States have now a solid support for their liberty and independence in their alliance with France, which will be certainly followed by that of Spain and the whole house of Bourbon, and probably by that of Holland and the other powers of Europe, who are interested in the freedom of commerce and in keeping down the power of Britain. Our people are happy in the enjoyment of their new constitutions of government, and will be so in their extended trade and navigation, unfettered by English arts and custom-house officers. They will now never relish the Egyptian bondage from which they have so happily escaped. A long peace will probably be the consequence of their separation from England, as they have no cause of quarrel with other nations; an immediate war with France and Spain, if they join again England, and a share in all her future wars, her debts, and her crimes. We are, therefore, persuaded that their commissioners will be soon dismissed, if at all received; for the sooner the decided part taken by Congress is known in Europe the more extended and stable will be their credit, and their conventions with other powers more easy to make and more advantageous.

Americans are everywhere in France treated with respect and every appearance of affection. We think it would be well to advise our people in all parts of America to imitate this conduct with regard to the French who may happen to be among us. Every means should be used to remove ancient prejudices, and cultivate a friendship that must be so useful to both nations. Some transactions here during the last four or five months, in the rigorous observance of treaties, with regard to the equipments of our armed vessels in the ports and the selling of our prizes, have no doubt made ill impressions on the minds of our seamen and traders relative to the friendship of this court. We were then obliged to observe a secrecy which prevented our removing those prejudices, by acquainting our people with the substantial aids France was privately affording us; and we must continue in the same situation till it is thought fit to publish the treaties. But we can, with pleasure, now acquaint you that we have obtained full satisfaction, viz, 400,000 livres, for the owners of the prizes confiscated here for a breach of the laws by a false declaration (they being entered as coming from Eustatia), and the payment will be made to the owners in America; we mean the prizes taken by Captains Babson and Hendricks, in the *Boston* and *Hancock* privateers, which prizes, after confiscation, were, from reasons of state, restored to the English. This is a fresh proof of the good-will and generosity of this court and their determination to cultivate the friendship of America.

The preparations for war continue in the ports with the utmost industry; and troops are marching daily to the sea-coasts, where three camps are to be formed. As France is determined to protect her commerce with us, a war is deemed inevitable.

Mr. William Lee, we suppose, acquaints you with the decease of Mr.

Morris, his colleague in the commercial agency. On our application to the ministry, an order was obtained to put Mr. Lee in possession of his papers. If that department has been found useful, and likely to continue so, you will no doubt appoint one or more persons to take care of the business, as Mr. Lee has now another destination. Perhaps the general commerce, likely to be soon opened between Europe and America, may render such an appointment unnecessary.

We would just add, for the consideration of Congress, whether, considering the mention of Bermudas in one of the articles, it may not be well to take possession, with the consent of the inhabitants of that island, and fortify the same as soon as possible, and also to reduce some, or all, of the English fishing posts in or near Newfoundland.

We have the honor to be, etc.,

B. FRANKLIN.

SILAS DEANE.

ARTHUR LEE.

A. Lee to the Committee of Foreign Affairs.*

PARIS, February 28, 1778.

GENTLEMEN: Our joint dispatches of the 28th of December, 1777, informed you that Spain had promised us three millions of livres, to be remitted to you in specie, through the Havana. This information we had through the French court. We have since been informed, through the same channel, that it would be paid to our banker here in quarterly payments. Of this I apprised you in my letter of the 15th of January, 1778. Finding, however, that no payment was made, I applied lately to the Spanish ambassador here for an explanation. From him I learned that, by order of his court, he had informed the court of France that such a sum should be furnished for your use, but in what manner he was not instructed, nor had he received any further communication on the subject. He promised to transmit my application to his court without delay.

The balancing conduct which these courts have, until very lately, held towards us, has involved us inevitably in continual contradictions and disappointments. It is in this respect fortunate that so many of our dispatches have miscarried, otherwise you would have been equally vexed, embarrassed, and disappointed.

The chief reason that induced Spain to temporize subsists still, except the war with Portugal, which is happily concluded by her accession to the family compact. Our general dispatches will convey to you the bills, as they are now passing in the Parliament of Great Britain, for appointing commissioners to negotiate with their deluded subjects, and declaring in what manner they will be graciously pleased to exercise in

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 478; 2 A. Lee's Life, 38.

future their right of taxing us. It would not be doing justice to these bills to attempt any comment upon them—they speak for themselves, and loudly, too. But the ministers of England give out that they have dispatched half a million of guineas to pave the way to a favorable acceptance of their propositions. And I know from the best authority here that they have assured Count Maurepas of their being secure of a majority in Congress. By such arts do they endeavor to [cover their nakedness and]* sustain their desperate cause. France has done us substantial benefits; Great Britain substantial injuries. France offers to guaranty our sovereignty, and universal freedom of commerce; Great Britain condescends to accept of our submission, and to monopolize our commerce. France demands of us to be independent; Great Britain tributary. I do not comprehend how there can be a mind so debased, or an understanding so perverted, as to balance between them.

The journeys I have made, both north and south, in the public service, have given me an opportunity of knowing the general disposition of Europe upon our question. There never was one in which the harmony of opinion was so universal; from the prince to the peasant there is but one voice, one wish—the liberty of America, and the humiliation of Great Britain.

The troubles which the death of the elector of Bavaria was likely to excite in Germany seemed to have subsided, when, of late, the movements of the King of Prussia threaten to excite a general war. Great Britain, whose expiring hope sustains itself on every straw, finds comfort in the expectation that this will involve France, and divert her from engaging in our war. But, in my judgment, it is much more likely to operate against her in Russia, than against us in France.

I beg the favor of having my duty laid before Congress, and have the honor to be, etc.,

ARTHUR LEE.

W. Lee to the President of Congress.

PARIS, February 28, 1778.

SIR: The unexpected return of Mr. Simeon Deane gives me the opportunity of enclosing you a copy of my last, which went by an express from Spain, to which be pleased to refer. I should before this have set off for Vienna, but the commissioners at this court have not yet found time to attend where the papers relative to the commercial concerns of Congress are taken from the private papers of the late Mr. Thomas Morris, as Mr. Deane's card of this date (a copy of which is inclosed) will show. As soon as that business is finished, I shall immediately set out to execute your commands in Germany, where, I am sorry to in-

*Words in brackets omitted in Sparks' ed.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 599, with omissions and verbal changes.

form you, that there is now appearances of an approaching rupture between the Emperor and King of Prussia, relative to the possession of the late elector of Bavaria's estates. The elector Palatine, who is the rightful heir, has agreed by treaty, signed the 12th ultimo, between him and the emperor, on the division of the Bavarian estates; but the King of Prussia is not satisfied, because he has not a share. He has, therefore, commenced a negotiation with Great Britain and the princes in Germany to support his pretensions to some parts of Germany, founded on claims of right that go several generations back. Great Britain, you may be sure, will instigate him to go on, because, if war ensues, France will probably take part with the emperor, which will render their meditated attack on her more likely to succeed; but I still hope peace will be maintained by negotiation in that quarter.

The British ministry are now fairly pushed to the wall; after exerting every effort to procure men for the ensuing campaign, both at home and abroad, and finding it impracticable anywhere, so odious are they and their measures, they have recourse to acts of Parliament, which are so presumptuous and treacherous that it is hardly possible to say in which they excel. You will have the two bills by this conveyance, which are too plain to be misunderstood by any one who knows the framers; therefore, shall only observe that by the first the *right* of taxing you is explicitly enacted, though suspended for the present, which is going something further than the declaratory act, for by that the right of taxation was only implied. By the second bill, the commissioners are vested with full powers to do all possible mischief to you, and no possible good until it is confirmed by Parliament. Under these circumstances I do not well see how any treaty can be commenced, nor perhaps will it be prudent, in the moment of their weakness and distress, to agree to a cessation of hostilities by land, unless your enemies will remove all their troops to Europe. [The ministerialists give out that their confidence is more on the guineas they send out than on their troops, and indeed one of the commissioners, viz, Hans Stanley, that they talk of sending over, has as much practical knowledge in the art of corruption and bribery as any man in England, without disparagement of the abilities in that way of Mr. Strachey, secretary to the present commission with you. I conceive that their arts and their arms will be equally successful].*

The situation of Spain, her millions being yet on the sea, and the circumstances in Germany before mentioned, I believe induce this court still to continue the injunctions of secrecy relative to the treaties; but if war is not declared before, I do not see how it can be avoided as soon as you publish them, which I suppose will be done as soon as they come to hand; at least such parts as will announce the fact to the world in such a manner that it cannot be doubted.

* Passage in brackets omitted in Sparks' ed.

The number of French troops that are now on the coast in Brittany and Normandy, with the powerful naval preparations both in this country and Spain, would effectually prevent Great Britain from sending any more troops to America this year even if she could get them.

I have the honor to be, etc.,

WILLIAM LEE.

SATURDAY MORNING.

Mr. Deane presents his compliments to Mr. Lee: As to-morrow is fixed by the minister for sending off the despatches, it will be impossible for him to attend the examination of Mr. Morris's papers before the setting off of his brother. As Mr. Deane had the honor of mentioning before, it shall be his first business after the despatches are gone.

Lovell, for Committee of Foreign Affairs, to Bingham.*

YORK, March 2, 1778.

SIR: The committee of secret correspondence, which almost a year ago was denominated the "committee for foreign affairs," stands indebted to you for many letters, both of interesting advice and ingenious political speculation. Happening to be the only member of that committee at present in Yorktown, I now take up my pen, not to form apologies for their long past silence, so much as to make a beginning of the act of justice due to you. I really fear that the collected ingenuity of the members will be put to it to offer, for a main excuse, anything better than that they relied upon your getting frequent intelligence of the state of our affairs from the commercial committee. In short, sir, I am so deeply concerned with the gentlemen in this affair, that I know what they ought to do; and I am so well acquainted with their just manner of thinking, that I will venture to confess, in their name, that their past omission of corresponding with you is, in a considerable measure, unaccountable. It is certainly better to step forward towards a man of candor in the straight line of honest confession than in the zigzag track of awkward apology.

Your letters, exclusive of their intrinsic merit, have been more particularly acceptable to Congress from the circumstance of our having been deprived of the satisfaction of receiving intelligence from the hands of our commissioners in Paris since May of last year. Besides those of their dispatches which have been lost at sea, we know one has been examined and culled by some perfidious villain, who substituted plain sheets of paper for the real letters of our friends. This was probably done in Europe, before the bearer of it, a Capt. John Folger, embarked with it for America.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 271, with verbal changes.

Your ideas of the policy of the court of Versailles appear quite just, from the corroborating testimony of whatever information we can collect in any way.

The course of Gazettes which accompany this will so well communicate our home affairs, that I shall not enlarge upon them. I will only say, in brief, that you may rest assured independence is so absolutely adopted by America as to leave no hope for Britain that we shall ever relinquish our claim. It must, therefore, be only to delude her own islanders and neighbors that she pretends to expect the contrary.

In addition to the misfortune which you mention respecting the *Lexington*, we are told of a greater, and one which will more intimately affect you, respecting the *Reprisal*, which is said to have foundered on the 1st of October. Your acquaintance with Captain Wickes will lead you to lament greatly the loss of so valuable an officer and so worthy a man. I enclose you a list of your letters as they came to hand, both for your own satisfaction and to command your belief of my regard for you as a faithful corresponding agent, and of my professions of being, sir etc.,

JAMES LOVELL,
For the Committee of Foreign Affairs.

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Franklin to Hartley.*

PASSY, March 12, 1778.

DEAR SIR: In the pamphlets you were so kind as to lend me there is one important fact misstated, apparently from the writer's not having been furnished with good information; it is the transaction between Mr. Grenville and the Colonies, wherein he understands that Mr. Grenville demanded of them a specific sum; that they refused to grant anything, and that it was on their refusal only that he made the motion for the *stamp act*. No one of these particulars is true. The fact was this: Some time in the winter of 1763-4 Mr. Grenville called together the agents of the several Colonies, and told them that he proposed to draw a revenue from America, and to that end his intention was to levy a stamp duty on the Colonies by act of Parliament in the ensuing session, of which he thought it fit that they should be immediately acquainted, that they might have time to consider, and if any other duty equally productive would be more agreeable to them, they might let him know it. The agents were therefore directed to write this to their respective assemblies and communicate to him the answers they should receive. The agents wrote accordingly.

I was a member of the assembly of Pennsylvania when this notification came to hand. The observations there made upon it were, that

*Franklin MSS., Dep. of State; 6 Bigelow's Franklin, 142.

the ancient established and regular method of drawing aids from the Colonies was this: The occasion was always first considered by their sovereign in his privy council, by whose sage advice he directed his secretary of state to write circular letters to the several governors, who were directed to lay them before their assemblies. In those letters the occasion was explained to their satisfaction with gracious expressions of his majesty's confidence in their known duty and affection, on which he relied, that they would grant such sums as should be suitable to their abilities, loyalty, and zeal for his service. That the Colonies had always granted liberally on such requisitions, and so liberally during the late war, that the king, sensible they had granted much more than their proportion, had recommended it to Parliament five years successively to make them some compensation, and the Parliament accordingly returned them £200,000 a year, to be divided among them. That the proposition of taxing them in Parliament was therefore both cruel and unjust. That by the constitution of the Colonies their business was with the king; in matters of aid, they had nothing to do with any financier, nor he with them; nor were the agents the proper channels through which requisitions should be made. It was therefore improper for them to enter into any stipulation or make any proposition to Mr. Grenville about laying taxes on their constituents by Parliament, which had really no right at all to tax them, especially as the notice he had sent them did not appear to be by the king's order and perhaps was without his knowledge, as the king, when he would obtain anything from them, always accompanied his requisition with good words; but this gentleman, instead of a decent demand, sent them a menace, that they should certainly be taxed, and only left them the choice of the manner. But, all this notwithstanding, they were so far from refusing to grant money, that they resolved to the following purport: "That they always had, so they always should, think it their duty to grant aid to the crown, according to their abilities, whenever required of them in the usual constitutional manner." I went soon after to England and took with me an authentic copy of this resolution, which I presented to Mr. Grenville before he brought in the stamp act. I asserted in the House of Commons (Mr. Grenville being present) that I had done so, and he did not deny it. Other colonies made similar resolutions. And had Mr. Grenville, instead of that act, applied to the king in council for such requisitional letters to be circulated by the secretary of state, I am sure he would have obtained more money from the Colonies by their voluntary grants than he himself expected from his stamps. But he chose compulsion rather than persuasion, and would not receive from their good-will what he thought he could obtain without it. And thus the golden bridge which the ingenious author thinks the Americans unwisely and unbecomingly refused to hold out to the minister and Parliament was actually held out to them, but they refused to walk over it. This is the true history of that transaction, and as it is probable there

may be another edition of that excellent pamphlet, I wish this may be communicated to the candid author, who I doubt not will correct that error.

I am ever, etc.,

B. FRANKLIN.

Franklin to A. Lee.*

PASSY, March 17, 1778.

DEAR SIR: One of Messrs. Beaumann, of Bordeaux, some time since told me that they intended to send a packet every month to America, on their own account, they having great concerns there. He offered, indeed, to carry our despatches; but as at this distance we could not know the captains, nor the degree of confidence that might be placed in them, and having other conveyances, I have not yet seen occasion to make use of that offer. These are the packets I mentioned to the gentleman as likely to afford him the convenience of a passage, and he understood more than I said to him when he imagined there was a packet to sail soon with our despatches. I know of no such thing proposed; and certainly, if it had been proposed by me or with my knowledge, I should have acquainted you with it.

A gentleman lately arrived from Boston has presented for acceptance bills drawn on us by Mr. Hancock, as the President of the Congress, for about 180,000 livres. I have also received a letter mentioning that other bills are drawn on us by Mr. Laurens, the present President, of which an account is promised in a future letter, this not giving the amounts, but only directing us to accept them when they appear. The 180,000 livres are an old debt contracted by our army in Canada, and not for interest of money. What the others are I know not; and I can not conceive what encouragement the Congress could have had from any of us to draw on us for anything but that interest. I suppose their difficulties have compelled them to it. I see we shall be distressed here by these proceedings, and I want to consult with you about the means of paying the bills.

If you will name an hour when you shall be at leisure to-day I will call upon you.

I have the honor to be, sir, etc.,

B. FRANKLIN.

* 8 Sparks' Franklin, 248; 6 Bigelow's Franklin, 145.

Gerard to the Commissioners at Paris.*

[Translation.]

VERSAILLES, March 17, 1778.

GENTLEMEN: I am charged to acquaint you that you will be presented to the king next Friday, if you will have the goodness to render yourselves here at 10 o'clock in the morning. Count de Vergennes hopes you will do him the honor to dine with him on the same day.

I have the honor to be, with high consideration, etc.,

GERARD.†

A. Lee to the President of Congress.‡

PARIS, March 19, 1778.

DEAR SIR: I congratulate our country on your filling so distinguished and important an office in her service. Her prosperity will always depend upon the wisdom of her choice. §

Before this can reach you the treaties concluded here must have arrived. I am sensible they will admit of very useful additions. But we were bound by the plan given us for the one; and by the critical situation of affairs, admitting of no delay, in the other. These things being considered, I hope what defects are found will be excused.

It is altogether uncertain when it will be convenient for Spain to accede to the alliance; and I am apprehensive that the war, which is likely to break out in Germany, will prevent the King of Prussia from declaring so soon, and so decidedly, as he promised. The court of Spain will, I apprehend, make some difficulties about settling the dividing line between their possessions and those of the United States. They wish to have the cession of Pensacola. I have written for, and hope to have, the instructions of Congress on this head. If anything should strike you on the subject, the communication of it will infinitely oblige me. The high opinion I have of your abilities and zeal for the public good will always render your advice a favor to me; and the acquaintance I have had the honor of having with you makes me hope I may ask it without offense. I beg to be remembered to your son, and

* 1 Sparks' Dip. Rev. Corr., 273.

† Vergennes, from deference to Spain, as well as from a desire to provoke England as little as possible, made the reception as quiet as he could. Aranda, in his despatch of March 23, tells his government that the American deputies were presented in this capacity to his majesty on the 20th, but without the ceremony of accredited ambassadors; they dined with the secretary of state, and their presentation is in the Gazette of to-day. (3 Doniol, 6.)

‡ 1 Sparks' Dip. Rev. Corr. 479.

§ This letter is directed to Henry Laurens, who had recently been chosen President of Congress.—SPARKS.

have the honor to be, with the greatest esteem and respect, dear sir,
your most obedient servant,

ARTHUR LEE.

P. S.—To-morrow we are to be presented to the King of France, and the English ambassador quits this court without taking leave. War must immediately be the consequence, as these movements have been determined on from the treaty of amity and commerce which we have concluded with this court having been announced in form to that of London. The consequence of this, in relieving our country from the chief weight of the war, can not but follow, and therefore I congratulate you upon it most sincerely. In my judgment a year or two must reduce Great Britain to any terms the allies may think proper to demand.

W. Lee to the President of Congress.*

PARIS, *March 23, 1778.*

SIR: To the inclosed copy of my last be pleased to refer. I have the pleasing satisfaction of congratulating you and my country on the independency of the thirteen United States of America being now openly acknowledged by the court of France, which must soon put a glorious end to all our troubles. About fourteen days ago the French minister in London formally avowed to the British ministry the treaty which his most christian majesty had made with you, and on the 20th instant your commissioners were, in form, introduced to the king and his ministers at Versailles, as the representatives of sovereign States, and on Sunday last they were introduced to the queen and all the royal family.

The British ministry, as usual, have blustered a good deal, but have not yet ventured to declare war, that we know of. If they do, our business may the sooner and better be finished. I set off to-morrow for Germany, where the prospect of a war between Austria and Prussia seems to thicken, although this court uses all its influence to prevent one, and has explicitly declared to both parties that she will not in any manner aid or assist either side, as she is determined to exert all her force in supporting her new alliance with the States of America. I have already claimed the King of Prussia's promise to acknowledge our independence as soon as France has done so; his answer I shall meet in Germany, and, as far as one can judge at present, there is a greater probability of my being sooner openly received at Berlin than at Vienna; but on this head, and at this critical moment, it is impossible for any man in the world to form a decisive opinion, because the issue will depend on events that are yet in the womb of time; therefore, all that in prudence for me to do is, on the spot, to seize the first opening that

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 601, with verbal changes.

is made on either side in our favor; and shall take care to give you the earliest intelligence of every thing material that occurs in my department.

I have the honor to remain, etc.,

WILLIAM LEE.

Lovell, for Committee of Foreign Affairs, to the Commissioners at Paris.*

YORK, March 24, 1778.

GENTLEMEN: I can not consent to omit this opportunity of addressing a few lines to you, though the state of our military operations affords nothing material.

The manners of the continent are too much affected by the depreciation of our currency; scarce an officer, civil or military, but feels something of a desire to be concerned in mercantile speculation, from finding that his salary is inadequate to the harpy demands which are made upon him for the necessaries of life, and from observing that but little skill is necessary to constitute one of the merchants of these days. We are almost a continental tribe of Jews; but I hope Heaven has not yet discovered such a settled profligacy in us as to cast us off even for a year. Backward as we may be at this moment in our preparations, the enemy is not in a condition to expect more success in the coming than in former campaigns. We have the debates of the British Parliament to December 5, and perceive that the old game is playing, called reconciliation. Depend upon it, they are duping themselves only.

Yesterday a private letter from Dr. Franklin, dated October 7, was presented, containing the only political intelligence which Folger brought safe with him, viz: "Our affairs, so far as relates to this country, are every day more promising." This, with a letter from Mr. Barnabas Deane, who tells us his brother apologized for his brevity, by saying he was "sending an important packet to Congress," is all the explanation we have of the nature of your despatches, of which we were robbed. I enclose a list, by which you will see the breaks in your correspondence. I send a pamphlet, which contains, I hope, the general ideas of America in regard to what Britain may be tempted, foolishly, to call her successes.

We think it strange that the commissioners did not jointly write by M. de Francy, considering the very important designs of his coming over to settle the mode of payment for the past cargoes sent by Rod-erique Hortalez & Co., and to make contracts for the future. It is certain that much éclaircissement is at this late moment wanting. But I dare not enlarge, for fear of losing this sudden good opportunity.

I therefore close, with assurances of the most affectionate respect, gentlemen, your very humble servant,

JAMES LOVELL,
For the Committee of Foreign Affairs.

Franklin to Hutton.

PASSY, March 24, 1778.

My dear old friend was in the right not "to call in question the sincerity of my words, where I say, February the 12th, *we can treat if any propositions are made to us.*" They were true then, and are so still, if Britain has not declared war with France; for in that case we shall, undoubtedly, think ourselves obliged to continue the war as long as she does. But methinks you should have taken us at our word, and have sent immediately your propositions in order to prevent such a war, if you did not choose it. Still I conceive it would be well to do it, if you have not already rashly begun the war. Assure yourself, nobody more sincerely wishes perpetual peace among men than I do; but there is a prior wish, that they would be equitable and just; otherwise such peace is not possible, and, indeed, wicked men have no right to expect it.

Adieu! I am ever yours, most affectionately,

B. FRANKLIN.

Vergennes to the President of Congress.[†]

[Translation.]

VERSAILLES, March 25, 1778.

SIR: Mr. Deane being about to return to America, I embrace the occasion with pleasure to give my testimony to the zeal, activity, and intelligence with which he has conducted the interests of the United States, by which he has merited the esteem of the king, my master, and for which his majesty has been pleased to give him marks of his satisfaction. Mr. Deane will be able to inform Congress of the disposition of the king toward the United States. The engagements formed with his majesty will doubtless satisfy their wishes; the king, on his part, is not only convinced that they are founded on principles unalterable, but also that they will contribute to the happiness of both nations.

I have the honor to be, etc.,

DE VERGENNES.

Vergennes to Deane.[†]

[Translation.]

VERSAILLES, March 26, 1778.

As I am not, sir, to have the honor of seeing you again before your departure, I pray you to receive here my wishes that your voyage may be short and happy, and that you may find in your own country the

* 2 Sparks' Dip. Rev. Corr. 28; 6 Bigelow's Franklin, 146. See *supra*, Franklin to Hutton, February 1, 1778; and as to Hutton, see introduction, § 201.

† 1 Sparks' Dip. Rev. Corr. 88.

same sentiments which you have inspired in France. You need not, sir, desire any addition to those which I have devoted to you, and which I shall preserve for you to the end of my life; they will be sureties to you of the true interest which I shall forever take in your happiness, as well as in the prosperity of your country.

The king, desirous of giving you a personal testimony of the satisfaction he has in your conduct, has charged me to communicate it to the President of the Congress of the United States. This is the object of the letter which Mr. Gerard will deliver you for Mr. Hancock. He will also deliver you a box with the king's portrait. You will not, I presume, sir, refuse to carry to your country the image of its most zealous friend. The proof of this is in facts.

I have the honor to be, with the most sincere consideration, etc.,

DE VERGENNES.

A. Lee to Franklin.*

CHAILLOT, March 27, 1778.

DEAR SIR: In consequence of what you mentioned to me relative to the German courts, I consulted the Spanish ambassador whether it could be determined with any degree of certainty how long it would be before the business I am pledged for with his court would require my presence. His answer was that it was altogether uncertain. In this situation it appeared to me that, under my present engagements, I could not venture to so great a distance. My brother has therefore set out on his original plan that was settled at Versailles.

Mr. Grand has not yet returned me the account completed. The moment I receive it I will wait upon you to settle the business of the loan bills.

I have the honor to be, etc.,

ARTHUR LEE.

Franklin to Izard.†

PASSY, March 27, 1778.

SIR: The bearer says he is a native of Charleston, South Carolina, and he wants a pass to go into Italy. I do not well understand the account he gives of himself. He seems to be lost, and to want advice. I beg leave to refer him to you, who will soon be able to discover whether his account is true.

I have the honor to be, etc.,

B. FRANKLIN.

* 1 Sparks' Dip. Rev. Corr. 480.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 660.

The King of France to Congress.*

VERY DEAR AND GREAT FRIENDS AND ALLIES: You will learn, undoubtedly with gratitude, the measure which the conduct of the King of Great Britain has induced us to take, of sending a fleet to endeavor to destroy the English forces upon the shores of North America. This expedition will convince you of the eagerness and the vigor which we are resolved to bring to the execution of the engagements which we have contracted with you. We are firmly persuaded that your fidelity to the obligations which your plenipotentiaries have contracted in your name will animate more and more the efforts which you are making with so much courage and perseverance.

The Count d'Estaing, vice-admiral of France, is charged to concert with you the operations, the conduct of which we have intrusted to him, in order that the combination of measures on each side may render them as advantageous to the common cause as circumstances will permit. We entreat you to give full credit to everything which he shall communicate to you on our part, and to place confidence in his zeal and in his talents.

Moreover, we pray God that he will have you, very dear and great friends and allies, under his holy protection.

Written at Versailles, the twenty eighth day of March, in the year of our Lord one thousand seven hundred and seventy-eight.

LOUIS.

The King of France to Congress.†

VERY DEAR AND GREAT FRIENDS AND ALLIES: The treaties which we have signed with you in consequence of the propositions made to us on your part, by your deputies, are a certain guaranty to you of our affection for the United States in general, and for each one of them individually, as well as of the interest which we take, and shall always continue to take, in their happiness and prosperity. In order to convince you of this in a more particular manner, we have appointed M. Gerard, secretary of our council of state, to reside near you in quality of our minister plenipotentiary. He is the better acquainted with the sentiments which we entertain towards you, and is the more able to answer for them to you, as he has been intrusted on our part of negotiating with your deputies, and as he has signed with them the treaties which cement our union, we request you to give full credit to all that he shall say to you on our part, particularly when he shall assure you of our affection and of our constant friendship for you.

* 5 Sparks' Dip. Rev. Corr. 556.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr. 555.

Moreover, we pray God that he will have you, very dear and great friends and allies, under his holy and worthy protection.

Written at Versailles, the 28th of March, 1778.

Your good friend and ally,

LOUIS.

APPOINTMENT OF CONSUL-GENERAL OF FRANCE IN THE UNITED STATES.

Louis, by the grace of God King of France and Navarre, to all those to whom these presents shall come, greeting :

Thinking it necessary to create the office of our consul-general at Boston and other ports belonging to the United States of North America, and being desirous to confer a favor on M. Gerard, we have thought that we could not make choice of a better person than he to fulfill the duties of this office by our knowledge of his zeal and affection for our service and for the interests of our subjects, and of his judgment and ability in naval affairs; for these reasons, and others moving us thereto, we have nominated and appointed the said M. Gerard, and by these presents, signed with our hand, do nominate and appoint him our consul-general at Boston, and other ports belonging to the United States of North America, with power to appoint consuls and vice-consuls in the places where he shall judge them necessary: to have and to hold the said office, to exercise, enjoy, and use it so long as it shall please us, with the honors, authorities, advantages, prerogatives, privileges, exemptions, rights, benefits, profits, revenues, and emoluments which belong to it, such and the same as those which our other consuls-general enjoy. We prohibit all French merchants, and all persons sailing under the French flag, from disturbing him in the possession, duties, and exercise of this consulate. We enjoin on all captains, masters, and commanders of ships, barks, and other vessels, armed and sailing under the said flag, as well as on all our other subjects, to acknowledge the said M. Gerard, and to obey him in this capacity. We pray and request our very dear and great friends and allies, the Congress of the United States of North America, their governors and other officers whom it shall concern, to allow the said M. Gerard, and the consuls and vice-consuls whom he shall appoint to the said office, to possess it fully and peaceably, without causing, or allowing to be caused to them, any disturbance or hindrance; but on the contrary to give them all favor and assistance, offering to do the same for all those who shall be thus recommended to us on their part. In witness whereof we have caused our privy seal to be affixed to these presents.

Given at Versailles, the 28th day of March, in the year of our Lord 1778, and of our reign the fifth.

LOUIS.

Izard to Franklin.*

PARIS, March 29, 1778.

SIR: I have seen the person you referred to me, and who is desirous of my recommending him to you for a passport to go into Italy. He says that he was born in South Carolina; but has been so long out of it that he neither knows anybody there nor does anybody know him. He left London with an intention of going to Italy, and came to Paris to see the world before he settled with a merchant, to whom he is engaged

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 660.

as a clerk at a place he hears is called Livorno. As this account did not appear very satisfactory, I desired him to excuse my troubling you with any recommendation until he put it in my power to do it with propriety.

You will give me leave to remind you that I had the honor of addressing you on the 30th of January in reply to yours of the 29th, and requested the favor of you to reconsider the article in the treaty then negotiating respecting the exports of North America, which had given me much uneasiness, and in which I think myself greatly interested. From your letter of the 29th I had reason to hope that, in a few days you intended to give me an explanation on certain points wherein I thought myself injured, and to show me that I was mistaken. In vain have I expected this satisfaction. I am very desirous of receiving it, and when the dates referred to are considered, I hope I shall not be thought too importunate in requesting that it may be soon. At the same time you will be so good as to inform me why no answer has been given to my letter to you and the other commissioners at this court, of the 5th of this month, and whether I am to expect any.

I have the honor to be, etc.,

RALPH IZARD.

Pulteney to Franklin.*

MARCH 29, 1778.

Mr. Williams† returned this morning to Paris and will be glad to see Dr. Franklin, whenever it is convenient for the doctor, at the Hotel Frasiliere, rue Tournon. It is near the hotel where he lodged when the doctor saw him a fortnight ago. He does not propose to go abroad, and therefore the doctor will find him at any hour. He understands that Mr. Alexander is not yet returned from Dijon, which he regrets.

Vergennes to Gerard.†

MARCH 29, 1778.

MEMOIR TO SERVE AS AN INSTRUCTION TO MR. GERARD, SECRETARY OF THE COUNCIL OF STATE, ABOUT TO GO AS THE REPRESENTATIVE OF THE KING TO THE GENERAL CONGRESS OF THE UNITED STATES.

The United States of America having given a legal basis to their independence by the act of the 4th of July, 1776, the king judged that his political interest did not oppose itself to the stability which they

* 2 Sparks' Dip. Rev. Corr. 28. Pulteney writes under the assumed name of Williams. Sparks.

† William Pulteney, a member of parliament who was employed by the British ministry to sound Franklin informally. See Introduction, § 203, and for answer, *infra*.

‡ Translated from Circourt's Bancroft, iii, 255.

might acquire, but that there might even result from this relations advantageous to his realm. In this view his majesty has granted to the United States all the facilities of commerce in his ports compatible with his existing engagements.

The defeat of General Burgoyne having precipitated events beyond all expectations, the king felt the necessity of taking at last a decisive resolution in respect to America. That necessity became all the more urgent as England, on her side, began to open her eyes to her faults and her weakness, and was anxiously considering means to reconcile herself with her colonies; while the terms she proposed to them were so manifestly aimed against France that there was not a moment to lose, if we seriously desired to prevent their having effect.

The king therefore made a treaty with the deputies of Congress, and concluded with them the 6th of February a treaty of friendship and of commerce, and a conditional treaty of alliance. As Mr. Gerard himself signed and negotiated those treaties, it would be superfluous to recall here the circumstances that preceded and accompanied them. It will suffice to remit the copies to him, and to make known the spirit in which they were designed and the means which the king is resolved to employ to fulfill them.

The independence of North America, and her permanent alliance with France have been the principal aim of the king; and it was to secure both of these that his majesty approved the conditional stipulations contained in the treaty of alliance, and that he did not secure for himself any exclusive advantages in the treaty of commerce.

Great Britain, by considering the friendly communication implied in the signature of the treaty of commerce as a provocation to war or a hostile act, makes absolute and definitive the stipulations that were still only contingent.* Their execution is in question to-day.

The first and most essential of all is that neither of the two parties shall make either peace or truce without the consent of the other. The faithful execution of this clause guarantees the advantages that the parties procure for themselves during the war, and it is essential that Mr. Gerard should impress Congress with that truth, and forewarn it in that way against the suggestions which the English may make to induce a separate peace. He will assure Congress at the same time in the most emphatic manner that the king, on his part, will reject all propositions of that nature that may be made to him by the common enemy, and that he will only lay down his arms when the full and absolute independence of the thirteen United States shall have been recognized by Great Britain.

As to the military operations that the two parties will have to take they will depend on circumstances. However, Mr. Gerard can assure Congress that the king will make every effort to prevent England from sending new forces to America, by means of which the Americans can

* This appears to be the logical meaning of the original, which, however, is obscure.

vanquish all the easier the army of General Howe, since we have reason to flatter ourselves that the fleet commanded by Count d' Estaing will destroy the English squadron which is in the Delaware, or at least will prevent it from provisioning the British army.

It is possible that the operations of the Continental Army and the French fleet will have to be in combination; but as neither that necessity nor the means of meeting it can be foreseen now, the requisite arrangements must at the proper time be concerted with the commander of the fleet, to whom will be given the powers necessary for that purpose.

There is one point of great consequence to the king, and which will demand all the dexterity of Mr. Gerard—the stipulations to be undertaken in favor of Spain. He knows that that power has taken no part in the two treaties, though she has not opposed them, and that up to the present time she has said nothing of the conditions on which she may accede to them in the future. However, we have reason to think that she would desire to acquire the Floridas, a share in the fisheries of the banks of Newfoundland, and Jamaica. The last object is in the hands of the king, since it is secured contingently by the last treaty of alliance. The second will depend equally on him, at least in a great measure, so there will be nothing left to negotiate with Congress about that.

The Floridas enter into the plans of conquest of the Americans. It will therefore be necessary to prepare them for the contingency of a surrender of their claims. The king charges Mr. Gerard with this in a particular manner, and his majesty leaves entirely to his prudence the means to be employed to attain that object.

It is only necessary to remind him that he must carefully avoid speaking in the name of Spain; for his catholic majesty has as yet said nothing relative to his intentions and views. Moreover, Mr. Gerard knows the principal motives that make Spain desire the Floridas. He will give such efficacy to them as is in his power, but if he can not succeed in securing the whole territory, he will strive at least to obtain Pensacola and such parts of the coasts as are considered to be the most suited to the interests of the court of Madrid.

The king expects that the court of London will make final efforts to form a party in its interest in Congress and to create divisions among the different provinces.

Mr. Gerard will see for himself how important it is to frustrate these measures, and to maintain the Union and the perfect understanding that have reigned until now among the thirteen confederate provinces. The means that he must employ to obtain that object will not be pointed out to Mr. Gerard. They will depend upon local circumstances, on which it will be impossible at present to form any opinion. Mr. Gerard knows that Congress has not yet ratified the two treaties. But it is to be presumed that that formality essential for their validity will have

been complied with when he arrives in America. If, however, such be not the case, his first duty will be to see that Congress takes the measures proper for that purpose, as presumably they will.

The envoys of Congress [in Paris] have proposed to the king to enter into an engagement to favor the conquest by the Americans of Canada, Nova Scotia, and the Floridas, and he has reason to think that Congress has taken this project to heart. But the king has considered that the possession of those three countries, or at least of Canada, by England, will be an element of disquiet and anxiety to the Americans, which will make them feel the more the need they have of the alliance and the friendship of the king, and which it is not his interest to remove.

In this view, his majesty thinks that he had better make no engagement relating to the conquest in question. If Congress propose it, however, as is probable, Mr. Gerard will answer that the king will always lend himself with eagerness to everything that may suit the United States, and that he will unite willingly in carrying out their plan of conquest, as far as circumstances will permit, but that the uncertainty and the variety of his engagements do not permit him to enter into any formal agreement to that effect. This is his majesty's position in respect to that question, and his intention is that Mr. Gerard should be guided by it in his remarks and suggestions. If, however, Congress should become too pressing and Mr. Gerard should judge that the king could not refuse to co-operate in their views without having his goodwill and the rectitude of his intentions suspected, he can then acquiesce in their wishes, but give them to understand that the conquest which it is proposed to make is not to be an essential condition of the future peace. Mr. Gerard will himself perceive that the last suggestion should be made with such delicacy as not to offend Congress.

It is also probable that Congress will express its desire to obtain subsidies from France. But Mr. Gerard will reply that the efforts which the king makes for the American cause require extraordinary outlays, which absorb all his means; that, moreover, the sending of the fleet to North America, charged to do all possible harm to the English, will operate as a diversion infinitely more advantageous for the Americans than if the king confined himself to giving them money. His majesty is persuaded that Congress will acquiesce without objection in such weighty reasoning.*

Mr. Gerard no doubt appreciates the full importance of the mission which the king confides to his care. His majesty is persuaded that he will give him on this occasion new proofs of his capacity, of his attachment to his person, and of his zeal for his service.

(Approved by the king March 29, 1778.)

*The war, says Circourt in a note, cost France, according to the generally received opinion, the sum of twelve thousand million francs.

Franklin to Pulteney.*

PASSY, March 30, 1778.

SIR: When I first had the honor of conversing with you on the subject of peace, I mentioned it as my opinion that every proposition which implied our voluntarily agreeing to return to a dependence on Britain, was now become impossible; that a peace on equal terms undoubtedly might be made; and that though we had no particular powers to treat of peace with England, we had general powers to make treaties of peace, amity, and commerce with any state in Europe, by which I thought we might be authorized to treat with Britain; who, if sincerely disposed to peace, might save time and much bloodshed by treating with us directly.

I also gave it as my opinion that, in the treaty to be made, Britain should endeavor by the fairness and generosity of the terms she offered to recover the esteem, confidence, and affection of America, without which the peace could not be so beneficial, as it was not likely to be lasting; in this I had the pleasure to find you of my opinion.

But I see by the propositions you have communicated to me that the ministers cannot yet divest themselves of the idea that the power of Parliament over us is constitutionally absolute and unlimited, and that the limitations they may be willing now to put to it by treaty are so many favors, or so many benefits, for which we are to make compensation.

As our opinions in America are totally different, a treaty on the terms proposed appears to me utterly impracticable, either here or there. Here we certainly can not make it, having not the smallest authority to make even the declaration specified in the proposed letter, without which, if I understood you right, treating with us cannot be commenced.

I sincerely wish as much for peace as you do; and I have enough remaining of good-will for England to wish it for her sake, as well as for our own, and for the sake of humanity. In the present state of things, the proper means of obtaining it, in my opinion, are to acknowledge the independence of the United States, and then enter at once into a treaty with us for a suspension of arms, with the usual provisions relating to distances; and another for establishing peace, friendship, and commerce, such as France has made. This might prevent a war between you and that kingdom, which, in the present circumstances and temper of the two nations, an accident may bring on every day, though contrary to the interest and without the previous intention of either. Such a treaty we might probably now make, with the approbation of our friends; but if you go to war with them on account of their friendship for us, we are bound by ties stronger than can be formed by any treaty to fight against you with them as long as the war against them shall continue.

* 2 Sparks' Dip. Rev. Corr. 29; 6 Bigelow's Franklin, 149; 8 Sparks' Franklin, 253. As to Pulteney's position, see introduction § 203; see also, *infra*, Franklin to Brancroft, March 30, 1778; Franklin to Reed, March 19, 1780.

May God at last grant that wisdom to your national councils which he seems long to have denied them, and which only sincere, just, and humane intentions can merit or expect.

With great personal esteem, I have the honor to be, sir, etc.,

B. FRANKLIN.

Franklin to Izard.*

PASSY, March 30, 1778.

SIR: From the account you give me of the man who pretends to be of Carolina, as well as from my own observation of his behavior, I entertain no good opinion of him, and shall not give him the pass he desires.

Much and very important business has hitherto prevented my giving you the satisfaction you desired, but you may depend upon my endeavoring to give it to you as soon as possible. An answer was written to your letter of the 5th of this month, and signed by us all, which I thought had been sent to you till Mr. Lee informed me that, having communicated to you the contents, you told him it would not be satisfactory, and desired it might be reconsidered, and he had accordingly stopped it for that purpose. We have not since had an opportunity of reconsidering it; and as the end is now answered by the communication of the treaty, perhaps it is not necessary.

I condole with you sincerely on the great loss sustained in Charleston by the fire in January last, said to have destroyed six hundred houses, valued, with the goods, at a million sterling.

I have the honor to be, etc.,

B. FRANKLIN.

Franklin to the President of Congress.†

PASSY, NEAR PARIS, March 31, 1778.

SIR: My colleague, Mr. Deane, being recalled by Congress, and no reasons given that have yet appeared here, it is apprehended to be the effect of some misrepresentations from an enemy or two at Paris and at Nantes. I have no doubt that he will be able clearly to justify himself; but having lived intimately with him now fifteen months, the greatest part of the time in the same house, and been a constant witness of his public conduct, I can not omit giving this testimony, though unasked, in his behalf, that I esteem him a faithful, active, and able minister, who, to my knowledge has done in various ways great and important service to his country, whose interests I wish may always, by every one in her employ, be as much and as effectually promoted.

With my dutiful respects to the Congress, I have the honor to be etc.,

B. FRANKLIN.

* MSS. Dep. of State; 8 Sparks' Franklin, 250; 1 Sparks' Dip. Rev. Corr. 661; 6 Bigelow's Franklin, 147

† MSS. Dep. State; 1 Sparks' Dip. Rev. Corr. 89; 8 Sparks' Franklin, 255; 6 Bigelow's Franklin, 153.

Franklin to Laurens.*

PASSY, NEAR PARIS, March 31, 1778.

SIR: Mons. Gerard, who does me the honor to be the bearer of this letter, is the same plenipotentiary with whom we completed the treaties that have secured to America the friendship and support of this powerful monarchy. In the whole conduct of that affair he manifested a candor, uprightness, and equity of disposition, as well as an affection for our cause and country, that impressed us with the highest esteem for him; and I congratulate you on his being minister from this court to the Congress, as the king's appointment of a person who is considered as our friend, to fill so important a situation, is an additional mark of his majesty's good-will to us, and presages, in my opinion, an exercise of the good understanding so happily begun between the two countries, which no one can be more desirous or more capable of promoting.

I beg leave, therefore, to recommend him warmly not only to all the civilities and respects that are due to his public character, but to those tender regards and affectionate grateful attentions that friendship claims, and which are so proper to cultivate and strengthen it.

I have, etc.,

B. FRANKLIN.

Izard to Franklin.†

PARIS, March 31, 1778.

SIR: I received yesterday the treaty of alliance, and the alterations that have been made in the treaty of commerce proposed by Congress from the hands of your grandson, and likewise a letter from you, which informs me that much and very important business has hitherto prevented your giving me the satisfaction respecting your conduct which I desired, but that I might depend on your endeavoring to give it to me as soon as possible. While you were engaged in settling the treaty I avoided giving you any additional trouble, especially as I am persuaded that the satisfactory explanation you have promised will require no uncommon exertion of your abilities. I conceive you have acted unjustifiably; you think that I am mistaken, and I shall be heartily rejoiced to find myself so.

You will excuse my requesting that the explanation I have desired may be given soon.

I have the honor to be, etc.,

RALPH IZARD.

* MSS. Dep. of State; 6 Bigelow's Franklin, 152.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 661.

A. Lee to Franklin and Deane.*

MARCH 31, 1778.

GENTLEMEN: The reports I hear of Mr. Deane's intending soon to leave Paris oblige me to repeat the request I long ago and repeatedly made, that we should settle the public accounts relating to the expenditure of the money intrusted to us for the public. And this is the more absolutely necessary, as what vouchers there are to enable the commissioners to make out this account are in Mr. Deane's possession. I therefore wish that the earliest day may be appointed for the settlement of these accounts, which appears to me an indispensable part of our duty to the public and to one another.

ARTHUR LEE.

Franklin to A. Lee.†

PASSY, April 1, 1778.

SIR: There is a style in some of your letters, I observe it particularly in the last, whereby superior merit is assumed to yourself in point of care and attention to business, and blame is insinuated on your colleagues without making yourself accountable, by a direct charge of negligence or unfaithfulness, which has the appearance of being as artful as it is unkind. In the present case I think the insinuation groundless.

I do not know that either Mr. Deane or myself ever showed any unwillingness to settle the public accounts. The banker's book always contained the whole. You could at any time as easily have obtained the account from them as either of us and you had abundantly more leisure. If, on examining it, you had wanted explanation of any article, you might have called for it and had it. You never did either. As soon as I obtained the account, I put it into your hands, and desired you to look into it, and I have heard no more of it since till now, just as Mr. Deane was on the point of departing. Mr. Deane, however, left with me before the receipt of your letter both the public papers, and explications of the several articles in the account that came within his knowledge. With these materials, I suppose we can settle the account whenever you please. You have only to name the day and place, and I will attend to the business with you.

I have the honor to be, with great esteem, sir, etc.,

B. FRANKLIN.

Gerard to A. Lee.‡

[Translation.]

VERSAILLES, April 1, 1778.

SIR: I called at your house to have the honor of your commands to the country where you know I am sent. Not having the honor of finding you at home, and my time pressing me, allow me the honor of tak-

* 1 Sparks' Dip. Rev. Corr. 481.

† 8 Sparks' Franklin, 256; 6 Bigelow's Franklin, 154.

‡ 1 Sparks' Dip. Rev. Corr. 483.

ing my leave by writing, and requesting the favor of your commissions for America. You will truly oblige me, sir, if you will charge me with letters for some of your connections or friends, especially those who are members of Congress.

My acknowledgments shall equal the considerations of regard with which I have the honor of being, etc.,

GERARD.

A. Lee to Gerard.*

APRIL 1, 1.30 O'CLOCK, 1778.

SIR : I had the honor of receiving your favor this moment, which is the first intimation I have received of what you mention. By 6 o'clock I will send you the letters you desire. I did intend to have spoken to you more upon what passed between the Spanish ambassador and myself, which gave you uneasiness ; but I must repeat, that I only related to him what I heard from Mr. Deane, as coming from you, and what we, in consequence of that information, have written to Congress. Be so good as to accept of my best wishes for the happiness and success of your voyage.

I have the honor to be, etc.,

ARTHUR LEE.

Gerard to A. Lee.*

[Translation.]

VERSAILLES, April 1, 1778.

SIR : I have received the letter you did me the honor to write to me, as also the packets you send by me. I shall carry them with a great deal of pleasure, and am much flattered with your confidence. I must inform you, sir, that, notwithstanding the public nature of my mission, I do not avow it ; and the confidence I place in you in this respect will, I hope, be considered by you as a proof of the regard with which I have the honor to be, etc.,

GERARD.

Izard to Henry Laurens.†

PARIS, April 1, 1778.

SIR : I am but this moment informed by report that Mr. Gerard, who is appointed minister plenipotentiary from this court to Congress, is immediately going to set out for America. It would have been improper

* 1 Sparks' Dip. Rev. Corr. 483.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 662.

that this should have been publicly known, as the court of England might have endeavored to intercept him. Dr. Franklin and Mr. Deane were, however, acquainted with it, and, as usual, concealed it from Mr. Lee and myself.* I shall make no comment on this behavior. If it does not, upon the bare recital of it, strike you as unjustifiable and disrespectful to Congress in not acquainting us whenever they know of proper opportunities to write, nothing that can be said will make you think so.

I congratulate you most heartily on the presentation of the three commissioners at this court as representatives of a sovereign and independent state. This happened on the 20th of March. I should immediately after have left this city for Italy. My inclinations lead me most strongly to do it, but I am sorry to inform you that a little longer delay is become absolutely necessary. I am assured from Florence of the favorable dispositions of the grand duke towards us, and I had no doubt but immediately after the acknowledgment of our independence here the example would have been followed in Tuscany.

Most unfortunately the death of the elector of Bavaria has thrown all Germany into convulsions. The claims of the house of Austria to part of that electorate, and the coldness lately shown by France towards the emperor on that account are likely to dispose the latter towards England in the approaching war. I say likely, for nothing is certainly known yet respecting these matters. My letters, however, from Florence give me reason to fear that my reception there in a public character will depend upon the proceedings of the court of Vienna. I have acted hitherto without paying the least regard to my own inclinations, in perfect conformity to what I have thought the wishes of Congress, and I shall continue to act in the same manner to the best of my judgment. It will make me very happy to be assured of the approbation of Congress.

Mr. Deane, I understand, accompanies Mr. Gerard, and has received a present from the French ministry. This is a thing of course; he may, however, make use of it with Congress as a reason why he should return. I shall avoid entering into particulars respecting this gentleman, and shall only in general give you my opinion of him, which is that if the whole world had been searched I think it would have been impossible to have found one on every account more unfit for the office into which he has by the storm and convulsions of the times been shaken.† I am under the fullest persuasion that the court of France might long ago have been induced to stand forth in our favor if America had had proper representatives at this court. I must repeat what I have done in some former letters that, whatever good dispositions were shown by Mr. Lee, they were always opposed and overruled by the two eldest commissioners.

* They were not permitted by the French court to make it known.—SPARKS.

† In reply to this letter, see Mr. Deane's letter to the President of Congress, dated October 12, 1778.—SPARKS.

If Congress are desirous of having a representative in Italy, it may be proper to send a commission for the court of Naples. It would be agreeable to me to have such a commission, so that I might be either there or in Tuscany, as occasion might require. This I only mention to you in case of such a thing being thought of. I wish not to solicit anything for myself, neither do I desire my friends to trouble themselves much about me. Whenever they think of me without any application on my part I look upon myself as the more obliged to them.

I am, dear sir, etc.,

RALPH IZARD.

Gardoqui & Co. to A. Lee.*

BILBOA, April 1, 1778.

You will see by this invoice that, agreeable to what you are pleased to communicate to us in your very esteemed favor of the 6th instant, we have reduced our commission to 3 per cent. But, dear sir, besides our being allowed 5 per cent. by all the American friends we have worked for in the present troublesome times, several of whom have been and actually are eye-witnesses of our troubles, as those blankets must be collected in the country round about Palencia, and the money must be remitted in specie there long beforehand for the purpose, we are not only obliged to pay the freight thereof and run the risks of it, but also to make good to the persons employed in their collection their expense and trouble—the whole out of our commission—so that, at present, we reckon that half of it will be our profit.

We are, etc.,

JAMES GARDOQUI & CO.

Invoice of seventy-five bales of merchandise shipped on board the George, Captain Job Knight, for Cape Ann, consigned to Elbridge Gerry, on account of Arthur Lee.

No. 1 to 75. 75 bales, containing 1,926 fine large Palencia blankets, at
27 riales..... 52,002.00

Charges.

To 413 vares of wrappers, at 2 riales	826
To packing, lighterage, etc.....	750
	1,576.00

Commission, 3 per cent.....	53,578.00
	1,607.11

Riales of V	55,185.11
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Placed to the debit of Arthur Lee.

Bilboa, the 28th of March, 1778.

Errors excepted.

J. GARDOQUI & CO.

APRIL 1, 1778.—Number of blankets sent from Bilboa for Congress since January 1778: 1,586, 615, 550, 1,695, 2,296, 1,926; total, 8,668.

* 1 Sparks' Dip. Rev. Corr. 481.

A Lee to Franklin.*

CHAILLOT, April 2, 1778.

SIR: It was with the utmost surprise I learnt yesterday that M. Gerard was to set out in the evening for America in a public character, and that Mr. Deane was to accompany him, without either you or Mr. Deane having condescended to answer my letter of the preceding day.

That a measure of such moment as M. Gerard's mission should have been taken without any communication with the commissioners is hardly credible; that, if it was communicated, you should do such violence to the authority which constituted us, together with so great an injury and injustice to me as to conceal it from me and act or advise without me, is equally astonishing. If success to the mission and unanimity on the subject were your wish, with what propriety could you make it a party business, and not unite all the commissioners in advising and approving a measure in which you wished their friends and constituents might be unanimous?

I do not live ten minutes' distance from you. Within these few days, as usual, I have seen you frequently; particularly on Monday I was with you at your house for some time. I asked you about the sailing of the ships at Nantes, expressing my desire to know when we should have an opportunity of writing. You said you did not know when they sailed. I asked if there were no letters, none but one from M. Dumas having been shown to me for some time. You answered no. I had at a former meeting asked you whether it was not proper for us to send an express to give intelligence of such consequential events as our being acknowledged here and the treaty avowed. You told me it would be sufficient to write by the ship at Nantes (for it was afterwards you mentioned there were two,) as the news, being public, would find its way fast enough.

Upon Mr. Amiel, who came to my house from yours, having mentioned, on Tuesday, that Mr. Deane was to go away in a few days, I wrote to you and him to repeat what I have so often requested, that the public accounts might be settled, for which Mr. Deane had taken possession of all the vouchers, and that the public papers might be delivered to us before his departure. You made me no answer. I sent my secretary again yesterday to desire an answer; you sent me a verbal one, that you would settle accounts with me any day after to-morrow. Your reason for not doing it before was, that it was not your business. Now it seemed your business only, and Mr. Deane has no concern with it. The delivery of the public papers, which are the property of all, not of any one of the commissioners (though you and Mr. Deane have constantly taken them to yourselves), was too immaterial for you to answer.

During all this time and with these circumstances you have been

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 484. This letter, with immaterial variations, appears in 8 Sparks' Franklin, 257, note.

totally silent to me about the present opportunity of writing to Congress concerning the important public measure in agitation and about Mr. Deane's departure. Nay, more, what you have said, and the manner in which you have acted, tended to mislead me from imagining that you knew of any such thing. Had you studied to deceive the most distrusted and dangerous enemy of the public you could not have done it more effectually.

I trust, sir, you will think with me, that I have a right to know your reasons for treating me thus. If you have anything to accuse me of avow it, and I will answer you. If you have not, why do you act so inconsistent with your duty to the public and injurious to me? Is the present state of Europe of so little moment to our constituents as not to require our joint consideration and information to them? Is the character of the court here and the person sent to negotiate with our constituents of no consequence for them to be apprised of? Is this the example you, in your superior wisdom, think proper to set of order, decorum, confidence, and justice?

I trust, sir, you will not treat this letter as you have done many others, with the indignity of not answering it. Though I have been silent, I have not felt the less the many affronts of this kind which you have thought proper to offer me.*

I have the honor to be, etc.,

ARTHUR LEE.

* "The reason why the sailing of the French fleet and the mission of M. Gerard were not made known to Mr. Lee by Dr. Franklin and Mr. Deane seems to have been that they had not the permission of the French court to communicate the intelligence to him. It does not appear that Dr. Franklin answered the above letter."—SPARKS.

In 8 Sparks' Franklin, note at page 260, Mr. Sparks adds the following:

"When Mr. Lee wrote this letter he was ignorant of the cause of the complaint contained in the first part of it. Count de Vergennes had been informed that intelligence had been communicated to England through the agency of Mr. Lee's secretary, which created an unfavorable suspicion. The facts are these: Mr. Lee sent his secretary to England with the view of ascertaining the nature of the preparations that were making to fit out a fleet at Portsmouth. This secretary (Thornton) betrayed his trust, and revealed certain particulars in London for stock-jobbing purposes. [As is elsewhere seen (introduction, § 207), he was paid by Lord North to give decoy information to Lee and to obtain Lee's secrets in return.] Mr. Lee dismissed him as soon as his unfaithfulness was discovered. It was important that the intention of sending M. Gérard as minister to the United States, and a fleet to America under Count d'Estaing, should remain a secret as long as possible, that the British Government might not take measures to counteract the objects for which they were designed. Count de Vergennes was apprehensive that if the intelligence were made known to Mr. Lee, it would get to the ears of the British ministry through the above suspected channel. He enjoined it, therefore, on Dr. Franklin and Mr. Deane not to mention the subject to their colleague. This injunction they were, of course, bound to observe. Whatever may have been the circumstances, however, there does not appear to have been any just grounds of suspicion against Mr. Lee so far at least as his intentions were concerned. He was ardently devoted to the cause of his country, and friendly to the alliance between France and the United States. It is to be regretted that his moderation, judgment, and prudence were not equal to his zeal and patriotism."

On this topic, Introduction, § 207.

A. Lee to Committee of Foreign Affairs.*

PARIS, April 2, 1778.

GENTLEMEN: The conclusion of the treaties here has ended the powers of our commission. Whatever character it may please Congress to give to their representatives in future must be specified by new powers and letters of credence to the sovereign with whom they are to act. The first example of this kind will be material in determining the future rank of the United States of America among other sovereign nations. Since the treaty of Munster, Venice and the United Provinces have had their rank as crowned sovereigns. I presume the United States of America will not think a lower rank competent to their dignity, and to the importance they must be of in the balance of European power. For I am satisfied that in a few years that balance must be in their hands. Whatever orders Congress are pleased to give on this subject, their ministers must support with firmness and inflexibility *at first*, to prevent any disagreeable disputes for the future.

By the enclosed copies of letters I hope to give you a distinct view of what passed in Spain and Prussia. I have never been able to learn to what was owing the sudden change in the favorable disposition of the Spanish court during my absence in Germany.† Whether it arose from the proceedings at Dunkirk, etc., which produced such rigor on the part of France, they will not inform me. But it is clear from Baron de Schulenburg's letter that the conduct of France, in consequence of the Dunkirk business, prevented Prussia from adopting what I proposed.

I have written to Messrs. Gardoquis about their charging 5 per cent. commission, which appears to be exorbitant, because I remit them the money before they lay it out.

My brother William is gone to Germany in pursuance of the commands of Congress.‡ The war that is kindling between the two powers to whom he is destined, makes it hardly possible to hope that he can succeed with both. If one is disposed to form an alliance with us, the other will, probably for that reason, refuse it. I observe it was the desire of Congress that we should keep an account of our expenses. I have done so, as minutely as the nature of things would admit; and they have not exceeded, including my two journeys, the sum allotted by Congress. I shall endeavor to continue within those bounds, though the being acknowledged will necessarily augment the expense.

The Messrs. Gardoquis have transmitted to me regularly the accounts of what they shipped on the public account; copies of which I have in the same manner sent to you. This I conceive to be the usual course of business, and necessary for the due information of all con-

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 486, with verbal changes; in part in 2 A. Lee's Life, 40, under date of March 25, 1778.

† See Introduction, §§ 86 ff.

‡ See Introduction, §§ 19, 178.

cerned. For this reason it was my wish that the same might be done with regard to the public money expended here. My colleagues have not thought proper to concur with me. The committee and Congress will order, if they think it proper, what I have not only requested in vain, but, to my utter astonishment, have given very great offense in requesting.*

I have the honor to be, etc.,

ARTHUR LEE.

Izard to Franklin.†

PARIS, April 4, 1778.

SIR: It is with reluctance that I find myself compelled to be again troublesome to you. Your conduct has given me great uneasiness. I have repeatedly complained to you, and you have several times verbally and by letter promised me an explanation of it. It is of great importance that I should have this satisfaction, and that it should be no longer delayed. You will therefore be so good as to write me by the gentleman who is the bearer of this when I may expect you to comply with your promise. I must also request that you will give me in writing the reasons which, at Chaillot, you told me induced you to think that Congress did not intend I should have the alterations proposed in the treaty of commerce communicated to me. This you assured me at the time should be done within a day or two, and though several weeks have elapsed, I have heard nothing from you on the subject. I mention this matter to you now because I believe my conversation with you has been misrepresented. If this has been done by mistake, I am desirous of having it corrected.

I am, sir, etc.,

RALPH IZARD.

Franklin to Izard.†

PASSY, April 4, 1778.

SIR: If I continue well, and nothing extraordinary happens to prevent it, you shall have the letter you so earnestly desire some time next week.

I am, sir, etc.,

B. FRANKLIN.

Franklin to A. Lee.‡

PASSY, April 4, 1778.

SIR: Mr. Deane communicated to me his intention of setting out for America immediately as a secret, which he desired I would mention to nobody. I complied with his request. If he did not think fit to

* See introduction, §§ 106, 126, 149.

† MSS. Dep. of State; 1, Sparks' Dip. Rev. Corr. 664.

‡ 8 Sparks' Franklin, 257; 6 Bigelow's Franklin, 155.

communicate it to you also, it is from him you should demand his reasons.

This court has an undoubted right to send as ministers whom it pleases and where it pleases, without advising with us, or desiring our approbation. The measure of sending M. Gérard as a minister to Congress was resolved on without consulting me; but I think it a wise one, and, if I did not, I do not conceive that I have any right to find fault with it. France was not consulted when we were sent here. Your angry charge, therefore, of our "making a party business of it" is groundless. We had no hand in the business. And as we neither "acted nor advised" in it, which you suppose, your other high-sounding charge of our doing thereby violence to the authority that constituted us and a great injury and injustice to you is equally without foundation. As to the concealing it from you, reasons were given by Mr. Deane that appeared to me satisfactory, and founded entirely on views of public good. I promise to communicate them to you hereafter if you desire it, that you may have an opportunity of refuting them if you can. At present it is not proper.

Your third paragraph, therefore, containing a particular account of what passed between you and me, at my house on Monday, seems not to require any answer. I am still of the same opinion that, after having sent the treaties themselves by different good conveyances, in which treaties our public character was acknowledged in the most authentic manner, and the avowal of the transaction by the French ambassador to the King of England, which was in all the papers of Europe, the sending a vessel express to carry the news of paying our respects to court, which was likewise in the papers, was an expensive and altogether unnecessary operation.

I received your letter directed to Mr. Deane and myself relating to the accounts. I had no opportunity of showing it to him till the evening of his departure, and then he was in too much of a hurry to peruse it. I could not, therefore, sooner answer it. But I then wrote an answer, acquainting you that he had put into my hands the public papers, with all the information he could give relating to the accounts. It was intended to be transcribed fairly and sent to you in the morning. Your secretary called for an answer before I had time to copy it. I had a good deal of company; and, thinking a verbal message might perhaps do as well and save the trouble, I desired him, with my compliments, to acquaint you that I was ready to settle the accounts with you at any time you should think fit to appoint except to-morrow, when I should be otherwise engaged. As this verbal message offended you, though I can not conceive why, I now send you the letter. In it I complain of your artful and, I think I may call them, unjust insinuations. You give me fresh instances in the letter I am answering. You magnify your zeal to have the public accounts settled, and insinuate that Mr. Deane and I prevented it; he by "taking possession of all the vouchers,"

and both of us by taking constantly the public papers to ourselves, which are the property of all the commissioners.

When this comes to be read in the committee, for whom it seems to be calculated rather than for me, who know the circumstances, what can they understand by it, but that you are the only careful, honest man of the three, and that we have some knavish reasons for keeping the accounts in the dark and you from seeing the vouchers? But the truth is, the papers naturally came into Mr. Deane's hands and mine; first, as he was engaged in the purchasing of goods for the Congress before either you or I came into France; next, as somebody must keep the papers, and you were either on long journeys to Spain, to Vienna, and Berlin, or had a commission to go and reside in Spain, which it was expected would soon be executed; whereas Mr. Deane and I lived almost constantly in the same house, either at Paris or Passy; you separate from us; and we did most of the business. Where, then, could the papers be so properly placed as with us, who had daily occasion to make use of them? I never knew that you desired to have the keeping of them. You never were refused a paper, or a copy of a paper, that you desired.*

As to my not acquainting you with the opportunity of writing to Congress by Mr. Deane, we had lately wrote and sent, by probably safe conveyances, all I knew of importance to write. I therefore did not

* To this Mr. Bigelow adds the following note:

"Mr. Lee's complaints about the official papers which accumulated in the hands of the commissioners did not cease with the departure of Mr. Deane. They continued long after Mr. Adams took the place of that commissioner. For some time Mr. Adams lived in the same house with Dr. Franklin at Passy. To one of Mr. Lee's letters on this subject Mr. Adams replied as follows :

"I have not asked Dr. Franklin's opinion concerning your proposal of a room in your house for the papers and an hour to meet there, because I know it would be in vain; for I think it must appear to him more unequal still. It can not be expected that two should go to one when it is as easy again for one to go to two; not to mention Dr. Franklin's age, his rank in the country, or his character in the world; nor that nine-tenths of the public letters are constantly brought to this house and will ever be carried where Dr. Franklin is. I will venture to make a proposition in my turn, in which I am very sincere; it is that you would join families with us. There is room enough in this house to accommodate us all. You shall take the apartments which belong to me at present, and I will content myself with the library room and the next to it. Appoint a room for business, any that you please, mine or another, a person to keep the papers, and certain hours to do business. This arrangement will save a large sum of money to the public; and, as it would give us a thousand opportunities of conversing together, which now we have not, and, by having but one place for our countrymen and others to go to who have occasion to visit us, would greatly facilitate the public business. It would remove the reproach we lie under, of which I confess myself very much ashamed, of not being able to agree together, and would make the commission more respectable, if not in itself, yet in the estimation of the English, the French, and the American nations; and I am sure, if we judge by the letters we receive, it wants to be made more respectable, at least in the eyes of many persons of this country."

PASSY, October 10, 1778.

propose, nor do I write any letter to the committee by him, especially as in my opinion, considering the route he was to take, he would not arrive so soon as other vessels which may sail long after him; and he could himself give as good an account of our being at court, the only public transaction since our last letters, as we could write.

You ask me why I act so inconsistently with my duty to the public. This is a heavy charge, sir, which I have not deserved. But it is to the public that I am accountable, and not to you. I have been a servant to many publics through a long life; have served them with fidelity, and have been honored by their approbation. There is not a single instance of my ever being accused before of acting contrary to their interest or my duty. I shall account to the Congress, when called upon, for this very terrible offense of being silent to you about Mr. Deane's and Mr. Gérard's departure, and I have no doubt of their equity in acquitting me.

It is true that I have omitted answering some of your letters, particularly your angry ones, in which you, with very magisterial airs, schooled and documented me as if I had been one of your domestics. I saw in the strongest light the importance of our living in decent civility towards each other while our great affairs were depending here. I saw your jealous, suspicious, malignant, and quarrelsome temper, which was daily manifesting itself against Mr. Deane and almost every other person you had any concern with. I therefore passed your affronts in silence, did not answer but burnt your angry letters, and received you, when I next saw you, with the same civility as if you had never wrote them. Perhaps I may still pursue the same conduct and not send you these. I believe I shall not, unless exceedingly pressed by you; for of all things I hate altercation.

One word more about the accounts. You tell me that my reason for not settling the accounts before was that it was not my business; now, it seemed my business only, and Mr. Deane had nothing to do with it. Both these positions are imaginary. I could never have given any such reasons, being always willing to settle accounts with everybody, and not having the least motive to delay or postpone the settlement of these. Nor could it seem that I should say Mr. Deane had nothing to do with it. He had done what he could towards it, and, being actually gone, could do no more. The infinity of business we have had is the true and only reason that I know of why they have not been settled, that is, why we did not meet, sit down, and compare the vouchers with the articles in the banker's account, in order to see that the charges were supported and that he had given us due credit for the moneys we had put into his hands. This, I apprehend, is all we have to do here. It is to the Congress we are separately to account for the separate drafts we have made on him. This Mr. Deane can do when he arrives, having taken a copy of the account with him.

If you think we should account to one another for our expenses I have no objection, though I never expected it. I believe they will be found

very moderate. I answer mine will, having had only the necessaries of life, and purchased nothing besides except the encyclopaedia, nor sent a sixpence worth of anything to my friends or family in America.

I have the honor to be, your obedient servant,

B. FRANKLIN.

A. Lee to the Committee of Foreign Affairs.*

PARIS, April 5, 1778.

GENTLEMEN: Having pressed the matter of supplies from Spain, I received an answer yesterday that endeavors would be used to send you succors through the Havana. The present critical situation of that court renders them averse to being more particular, or to have applications made to them, but I think they will not long remain under this embarrassment.

Dr. Franklin and I are now settling the accounts as well as we can from the papers Mr. Deane thought proper to leave in Dr. Franklin's hands. How orderly and adequate they are you will judge yourselves from the list which I shall take care to transmit to you. I am obliged to say that this gentleman took to himself the entire management of the business, in which I could obtain no share without a quarrel; that my advice and assistance were always rejected, and he never would settle accounts. Whether he has conducted it well you will have the means of determining by what you have received compared with the sums expended, which I shall make it my duty to transmit to you.

I can not venture to detail to you the plans of this court relative to the conduct of the war in your quarter. You will probably see the commencement of them before this reaches you. I enclose some additional and as I conceive necessary articles, which I shall endeavor to obtain, if Congress approve of them. I also send an accurate list of the actual and intended force of Great Britain.

With my utmost duty and respect to Congress, I have the honor to be, etc.,

ARTHUR LEE.

P. S.—Being obliged to send this by post, the articles must be deferred, as being too voluminous.

Franklin to A. Lee.†

PASSY, April 6, 1778.

SIR: Mr. Williams had orders from Mr. Deane and myself to purchase and make up a large quantity of clothing and ship the same, in pursuance of the orders of Congress. I imagine you were not in France

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 487; 2 A. Lee's Life, 41, under date of April 4, 1778.

† 8 Sparks' Franklin, 265; 6 Bigelow's Franklin, 162.

when the measure was taken, and so could not be consulted. But you certainly have been acquainted with it since your return. I never heard that you made any objection to it, and you may at any time have fuller information if desired. I think the orders of any two of us in these cases are sufficient, and that, if we have given directions to an agent of ours to draw on our banker in discharge of contracts made properly for the public service, his drafts ought to be honored. The reason of permitting him to draw on our banker instead of ourselves, was, as I understand it, convenient at that time, to mask more effectually our building and equipping vessels of force. If, in a single instance, he is known or suspected to have abused this confidence placed in him, I am ready to join with you in putting a stop to his proceedings by ordering his bills to be protested. If not, I think the public service requires that he should complete his orders, which, as far as I have ever heard, he has hitherto executed with great care, fidelity, and ability. As to the want of funds with Mr. Grand, I suppose that, before the bills drawn on him become due, which are charged in his account and bring the balance against us, he will be fully supplied with what are necessary.

I send you herewith sundry letters relating to our affairs for your perusal and advice upon them.

I have the honor to be, etc.,

B. FRANKLIN.

A. Lee to the Committee of Foreign Affairs.*

PARIS, April 8, 1778.

GENTLEMEN: Whether there were any public dispatches for you by the opportunity that carries Mr. Deane, the late commissioner, I do not know, because my colleagues concealed his departure from me. I trust you will think it proper to desire the reason of such conduct, the tendency of which is too plain and too pernicious not to require censure, if it can not, as I conceive it can not, be justified by stronger reasons of utility.†

Great Britain has not yet thought proper to declare war in form against France, but the vessels and sailors of each nation are reciprocally seized in their ports, and a French frigate has lately made prize of an English privateer. Both are preparing with all possible dispatch, and both waiting for your decisive declaration with an anxiety proportioned to their conviction of that declaration deciding the fate of the war.

As far as I can venture to judge of courts and ministers, those of this country seem cordially disposed to co-operate with you in driving

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 488; 2 A. Lee's Life, 42.

† The reason was, as previously stated, that Franklin and Deane were not authorized by the French court to make known to any person the sailing of the fleet. SPARKS. As to reasons, see notes to A. Lee's letter of April 2, 1778, *supra*.

the English entirely out of America. But from what I could observe during the conference on the treaty, they seem to have some wishes relative to the islands of the fishery which are not altogether compatible with the system laid down by Congress.

The war between the Emperor and the King of Prussia seems inevitable. It will be a war of giants, and must engage all Germany. Three hundred thousand men, the best disciplined and the best led that ever made war, are ready to dispute the question on each side. Russia is sufficiently occupied by her own situation in regard to the Porte. The north is therefore no longer a subject for your apprehension. The whole house of Bourbon will certainly join in the war against England. Holland, therefore, seems the principal object of negotiation now; because, if the enemy should be deprived of her amity, they soon must be reduced to a *carte blanche*.

This is the present situation of Europe. I inclose you a memorial,* which I wrote last year, and have now sent to Holland, to promote the disposition we are informed they entertain at present in our favor. In the additional articles I sent for your consideration there are some not very materially different, but as they are expressed in a different manner, I thought it might be of use to submit the choice to you.

The enclosed report† is what I received from the court of Spain in answer to an application in behalf of the people who have involved themselves in this unfortunate situation.

It is proper to inform you that the department of Spain to which it has pleased Congress to destine me is the most expensive of any, because the court pass different parts of the year at four different places, at which every public minister is obliged to reside, and consequently to have a house, which augments very much his expense. As I wish to avoid all occasion of blame, I mention this circumstance that I may not appear to be extravagant, should my expense increase on going thither.

You will greatly oblige me by presenting my duty to Congress, and believing me to be, with the greatest respect, etc.

ARTHUR LEE.

A. Lee's Memorial for Holland.‡

When the ancestors of the present inhabitants of the United States of America first settled in that country they did it entirely at their own expense. The public of England never granted one shilling to aid in their establishment. Had any such grants existed they must have been upon record. The State of England, therefore, could not justly claim the benefit of an acquisition which it never made.

*This memorial was printed and circulated in Holland by the friends of the American cause.—SPARKS.

†Missing.—SPARKS.

‡ MSS. Dep. of State, 1 Sparks' Dip. Rev. Corr. 490.

Upon this principle the first settlers conceived they had *a right to exchange and sell the produce of their labor to all nations, without control.* This right they actually enjoyed unquestioned till the year 1652; then it was that the English, in violation of every principle of justice, usurped and established a monopoly of the American commerce, which they maintained till the rigor of their domination compelled the Americans to reclaim their ancient unalienable rights by declaring themselves free and independent States. In consequence of this, all nations are restored to the participation of that commerce, from which the monopolizing spirit of the English had unjustly excluded them.

No nation is more interested in this event than the Dutch, because it was against them that the establishment of the monopoly was chiefly intended. The great object of commercial policy with the States of Holland was and is the *carrying trade.* In consequence of this, when the commerce of America was free, the Dutch vessels in the American ports outnumbered those of England. But in the year 1651 a quarrel arose between the States of Holland and the then Republic of England. The English, jealous of their naval power, resolved to destroy their American commerce, which contributed so much to its support. To effect this, the council of state projected and passed, on the 1st of December, 1651, the navigation ordinance, by which the carriage of American produce was prohibited except in English bottoms. The Dutch foresaw the intention and felt the effects of this measure. Their resentment of it added fuel to the war that raged from that time to the year 1654 with so much fury.

Their success, however, was not sufficient to re-establish what had been thus violently wrested from them. In negotiating the peace that concluded that war, De Witt labored with his usual abilities to obtain an abolition of the act, but all his efforts were ineffectual. Cromwell, who was not his inferior in acuteness, maintained the usurpation, and under Charles the Second it received the form and sanction of an act of Parliament. Thus, in despite of all their efforts, this valuable branch of commerce was wrested from the Dutch and monopolized by the English.

But what neither the uncommon talents of De Witt nor the struggles of an obstinate and bloody war could effect the course of human events has produced. The wealth and power arising from this very monopoly so intoxicated Great Britain, as to make her think there were no bounds to the exercise of the control she has usurped. Not content, therefore, with thus restraining the Americans for her own emolument in the mode of acquiring money, she arrogated to herself the right of taking that which was obtained under those restraints. The natural consequence of thus urging her domination and adding a new usurpation to the former was the abolition of the whole. America has, in form, renounced her connection with Great Britain, and is maintaining her rights by arms.

The consequence of her success will be the re-establishment of commerce upon its ancient, free, and general footing. All nations are interested in this success, but none so much as the Dutch. From them, therefore, America, *in a most special manner, looks for support. Resentment of an ancient injury, the policy of their ancestors, their present interest,* unite in calling upon them for a spirited avowal and support of the independence of America. They will not forget the blood that was spilt in endeavoring to vindicate their right when it was first invaded. They will not forget the insolence and injustice with which Great Britain harassed their trade during the late war, by means of that very naval strength which she derived from her usurped monopoly. They can not but feel at this moment the insult and indignity from the British court, in presuming to forbid them that free participation of commerce which America offers.

The extraordinary remittances which the people of America have made to the merchants of Great Britain since the commencement of this dispute is a proof of their honor and good faith; so much more safe and advantageous is it to trust money with a young, industrious, thriving people, than with an old nation overwhelmed with debt, abandoned to extravagance, and immersed in luxury. By maintaining the independence of America a new avenue will be opened for the employment of money, where landed property, as yet untouched by mortgage or other incumbrances, will answer for the principal, and the industry of a young and uninvolved people would insure the regular payment of interest. The money-holder would in that case be relieved from the continual fears and apprehensions which every agitation of the English stocks perpetually excites. He might count his profits without anxiety, and plan his moneyed transactions with certainty.

These are the substantial objects of advantage which America holds up to the people of Holland, and this the moment of embracing them.

Franklin and Lee to Dumas.*

PASSY, April 10, 1778.

SIR: We received your despatch of the 3d instant, and approve very much the care and pains you constantly take in sending us the best intelligence of foreign affairs. We have now the pleasure of acquainting you that Mr. John Adams, a member of Congress, appointed to succeed Mr. Deane in this commission, is safely arrived here. He came over in the *Boston*, a frigate of thirty guns, belonging to the United States. In the passage they met and made prize of a large English letter of marque ship of fourteen guns, the *Martha*, bound to New York, on whose cargo £70,000 sterling were insured in London. It contains

* 1 Sparks' Dip. Rev. Corr. 275.

abundance of necessaries for America, whither she is despatched, and we hope she will get well into one of our ports.

Mr. Adams acquaints us that it had been moved in Congress to send a minister to Holland, but that, although there was the best disposition towards that country and desire to have and maintain a good understanding with their high mightiesses and a free commerce with their subjects, the measure was respectfully postponed for the present, till their sentiments on it could be known, from an apprehension that possibly their connections with England might make the receiving an American minister as yet inconvenient, and (if Holland should have the same good-will toward us) a little embarrassing. Perhaps, as our independency begins to wear the appearance of greater stability since our acknowledged alliance with France, that difficulty may be lessened. Of this we wish you to take the most prudent methods privately to inform yourself. It seems clearly to be the interest of Holland to share in the rapidly growing commerce of their young sister republic; and as in the love of liberty and bravery in defense of it she has been our great example, we hope circumstances and constitutions, in many respects so similar, may produce mutual benevolence, and that the unfavorable impressions made on the minds of some in America by the rigor with which supplies of arms and ammunition were refused them in their distress may soon be worn off and obliterated by a friendly intercourse and reciprocal good offices.

When Mr. Adams left America, which was about the middle of February, our affairs were daily improving, our troops well supplied with arms and provisions and in good order, and the army of General Burgoyne, being detained for breaches of the capitulation, we had in our hands above ten thousand prisoners of the enemy.

We are, sir, your most obedient humble servants,

B. FRANKLIN.
ARTHUR LEE.

Franklin, Lee, and Adams to Dumas.*

PARIS, April 10, 1778.

SIR: The within letter to you is so written that you may show it on occasion. We send enclosed a proposed draft of a letter to the grand pensionary, but as we are unacquainted with forms, and may not exactly have hit your idea with regard to the matter and expression, we wish you would consult with our friends upon it, and return it with the necessary corrections.

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

* 1 Sparks' Dip. Rev. Corr. 274.

APRIL 11, 1778.

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DRAFT OF A PROPOSED LETTER FROM THE COMMISSIONERS TO THE GRAND PENSIONARY OF HOLLAND.*

SIR: We have the honor of acquainting your excellency that the United States of North America, being now an independent power, and acknowledged as such by this court, a treaty of amity and commerce is completed between France and the said United States, of which we shall speedily send your excellency a copy, to be communicated, if you think proper, to their high mightinesses, for whom the United States have the greatest respect, and the strongest desire that a good understanding may be cultivated, and a mutually beneficial commerce established between the people of the two nations, which, as will be seen, there is nothing in the above-mentioned treaty to prevent or impede.

We have the honor to be, with great respect, your excellency's, etc.

Izard to Henry Laurens.†

PARIS, April 11, 1778.

DEAR SIR: I send copies of my letters whenever I hear of an opportunity, in hopes of some of them getting safe to your hands.

[Many of them are lost at sea and by the chance of war. When these happen they must be patiently submitted to; but when there is reason to apprehend that tricks have been played it is very provoking. Mr. Lee assures me he has discovered that his dispatches to Congress have been opened by Mr. Deane, and likewise a letter of his which was put confidentially into that gentleman's hands. The last-mentioned letter, Mr. Lee says, was nicely cut round the edges of the seal and afterwards closed with fresh wax. This is a shocking piece of business, and almost incredible. Mr. Lee, however, asserts it with such confidence that I can have no doubt of the fact. The reason of my mentioning this to you is that my letters to Congress have necessarily gone through his hands while he was here. His brother had the charge of all our dispatches, which went by the *Sensible*, a French frigate, and as they were a day or two delayed, I should be glad if you would examine if any such operation as I have mentioned has been performed on my letter to you by that opportunity. The contents of the cover which was at that time addressed to you were the same as the one which goes by the present conveyance except this letter and the copy of the 1st of April; and the cover which is put into the hands of Mr. Gerard, the plenipotentiary of the court of France to the Congress, who goes in the same ship with Mr. Deane, the same likewise, except the letter of April 1. It is very distressing to think of such things, but when one has reason to suspect knavery it is at least prudent to be on our guard. You will be so good as to inform me what letters of mine got to your hands and by what opportunities, as I have not missed a single opportunity of writing to you that I have been informed of since I have been in France. Dr. F. and

* 1 Sparks' Dip. Rev. Corr. 275; 6 Bigelow's Franklin, 164.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 665, with omissions.

Mr. Deane have as much as possible concealed from me the opportunities of writing to Congress. This was certainly behaving very ill; but to let Mr. Gerard and Mr. Deane go away without giving me the least intimation of it was a very high insult to Congress. I have been lately made acquainted with the opportunity by which these gentlemen went (not by Dr. F.); the affair was certainly of a very important nature and required the utmost secrecy. I do not complain of the secret of the business being kept from me; perhaps it was very proper that this should be done; but it appears very clearly to me to be Dr. F.'s duty to inform me whenever a good and safe opportunity offers to write to Congress. The object of these gentlemen is to have Mr. Deane come back in a public character—if not to France perhaps to Holland or some other court of Europe—and therefore they are afraid of having reasons given why this should not be the case. I am of opinion that he is upon every account an improper person to be employed by Congress. Mr. Lee, I believe, has written fully upon this subject to his brothers in Congress, and I should be glad that you would have some conversation with them about it.]*

Mr. Adams arrived in Paris two days ago, and it is no small disappointment to me that he has brought me no letters from you. I was at first afraid that my dispatches by the *Benjamin*, which Mr. Folger had the charge of, had been stolen, as well as Mr. Lee's, but am very glad to find by a letter from Mr. Lovell to Dr. Franklin that all my letters got safe. What a very extraordinary piece of villainy this must have been. I have the strongest suspicion who the person is that was at the bottom of it, but will not take upon me to mention his name. I most sincerely hope, whoever he is, that he may be discovered and brought to light. It is much to be feared that this will prove a difficult matter, as the person who could be capable of it must be sensible how dangerous it must be for him to be discovered, and therefore, without doubt, the utmost cunning and precaution have been employed to conceal himself.

I think myself much obliged to my friends in Congress who have assigned me the department of Tuscany; I prefer it to any of the courts except France or England. The former, it is probable, will be filled by one of the present commissioners. Should England, in two or three years, acknowledge the sovereignty and independence of the States, it would be very agreeable to me if Congress thought me worthy of being their representative at that court. I flatter myself with the hopes of having your approbation; at the same time I must repeat what I have mentioned in a former letter, that I would wish to be as little troublesome to my friends as possible.

It is particularly distressing to me, as I am living at the public expense, to be obliged so often to inform you that it still continues improper for me to go to Florence. I have consulted this court on the subject, and they are of opinion that I should wait here until a more fa-

* Passage in brackets omitted in Sparks' ed.

vorable opportunity offers. In following this advice I think that I am acting according to the wishes of Congress, and you may depend upon it that I shall upon all occasions continue to do so to the best of my judgment. I have not written lately to the committee of foreign affairs. As I have written to you by every opportunity I thought it unnecessary, and I should be obliged to you if you would give that reason to them. I have never had any instructions on this point from Congress, and whenever you receive anything from me which you think necessary to be laid before those gentlemen I should be obliged to you if you would be so good as to communicate it to them. You will be so good as to let me have your opinion on this point, whether it will be necessary for me to write to the committee or if it will be sufficient for me to write to you only.

The commissioners at this court have not yet been received into the *corps diplomatique*, because they have not had proper letters of credence from Congress. When those letters are sent to them you will be so good as to let them be sent to me, and also to Mr. William Lee. The title of commissioner is not at present used, as formerly, in the courts of Europe. I will venture to give you my opinion privately on this subject, which is that the representatives from the States of America at the courts of France and Spain should be ambassadors, and at the others ministers plenipotentiary. The last title is in general use; the persons possessed of it take rank below envoys, and therefore I would prefer it, because it will probably prevent all disputes. I mention this solely to yourself, and you will either make use of it or not as you think proper.

Mr. William Lee has a commission not only to the emperor, but likewise one to the King of Prussia. This is a very unlucky circumstance, as those two princes are in all probability on the point of going to war with each other. Mr. Lee is gone into Germany without being fully determined which court he should present himself at first. I am inclined to think that it will be that of Berlin. Congress, in the commission which was sent out for the court of Vienna, forgot to mention the empress queen. This was a great mistake, as she is during her life the sovereign of all the hereditary dominions of her family, and the emperor is only head of the German Empire. I do not know whether Mr. Lee has mentioned this in his letters to Congress, but it is of considerable importance, and should be attended to whenever a new commission is sent out.

I have the honor to be, etc.,

RALPH IZARD.

P. S.—The seal that I shall make use of in all my letters to you will either be my coat of arms, which is on this, or a rattlesnake, with this motto, "Don't tread on me."

Congress.*

APRIL 13, 1778.

Resolved, That the commissioners of the United States in France be authorized to determine and settle with the house of Roderique Hortalez and Company the compensation, if any, which should be allowed them on all merchandise and warlike stores shipped by them for the use of the United States previous to the 14th day of April, 1778, over and above the commission allowed them in the sixth article of the proposed contract between the committee of commerce and John Baptiste Lazarus Torineau de Francy.

Franklin, Lee, and Adams to Ross.†

PASSY, April 13, 1778.

SIR: The papers you mention are in the disposition of Mr. William Lee, who is gone to Germany. It is therefore not in our power to comply with what you desire. Neither are we able to make you any further advances. We wish you would send us, with all convenient expedition, copies of the invoices and bills of lading for those goods which were paid for with the money we formerly furnished you. We do not think it within our province to make an entire settlement with you. The money in Mr. Schweighauser's hands, which you say is under the direction and order of Mr. R. Morris, ought to be disposed of according to those orders. The trade being now free from this country, it seems improper to us to give the passport you ask.

We are, sir, your most obedient servants,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

P. S.—Mr. William Lee is at Frankfort, where a letter from you may possibly find him; but his stay there is very uncertain.

A. Lee to Committee of Correspondence.‡

PARIS, April 14, 1778.

GENTLEMEN: I have seen your examination of Captain Folger, who has either not told the truth relative to the contents of what he confesses to have opened, or they were opened before he received them. He mentions a letter from Mr. Hancock and Mr. R. H. Lee being in the same packet and in the common envelope, which is not so, as I have not the honor of being Mr. Hancock's correspondent. The large

* MSS. secret journals, Dep. of State; printed secret journal.

† 1 Sparks Dip. Rev. Corr., 276.

‡ 2 A. Lee's Life, 44.

packet, marked "Despatches," was sealed with my seal, and contained a packet for the chairman of the secret committee, one for Samuel Adams, esq., one for F. L. Lee, esq., and several for R. H. Lee, esq. They were large and contained a great many letters, public and private. This transaction obliges me to call to mind and state to you a great many previous circumstances.

The first of my dispatches which fell into his hands after his arrival here he is charged by Mr. Carmichael with having opened. It is true he accuses Mr. Carmichael of having done it, and all I am certain of is, that they were opened and detained. Mr. C. appeals to Mr. Rogers, who, he says, was present, and who is now a major in the army of the States. I have now in my possession a letter, which I sealed myself, delivered to Mr. Deane, and received from him with the seal apparently untouched; but upon examination it was clear it had been opened, and that with a dexterity not easily described, but of which there remains very convincing proofs.

These instances mark a strong desire in Mr. Deane to become acquainted with what was under my seal, and I shall proceed to show that this curiosity was likely to be much augmented at the period that Folger's dispatches were examined.

Upon my return from Germany I received information that two persons, entirely in the confidence of Mr. Deane (Dr. Bankeroff and Mr. Carmichael), and maintained by him with the public money, had been speaking with great enmity against me, and circulating reports that both the other commissioners were enemies to me, and that we were at open variance. Such variance did not then exist, but they had laid the foundation of it so effectually during my absence that it could not fail to happen so as apparently to justify their assertions. The report of this variance had been industriously propagated not only in France but in England. The person who was present at these conversations was clearly of opinion, from the similarity of the manner, that some most atrocious abuse of my brother and me, with no very modest praises of my colleagues and of Mr. Carmichael, which were inserted in the English newspapers, came from the same persons. A gentleman to whom I had intrusted this information, with the design of conciliating differences, apprised them of it. This gave them great alarm; and I found they were exerting themselves to prevent me from getting any further information, and were under great apprehension of the consequences of what I had already received. This was a little before the dispatches in question were written. Captain Hynson was sent to Havre by Mr. Deane; he corresponded with him, and received his orders from him. Everything relating to it was kept a profound secret from me. The same management was used relative to Captain Folger. The orders, the committee have seen, were given and not signed by me; I never before saw or heard of them, though I was at that time in the same house with my colleagues; nor did they communicate to me the

vessel, the place, or the person who was to carry our dispatches. This concealment of things from me has been much practiced since, as I suppose the information received from those letters made it appear more necessary.

That Mr. Deane, and those connected with him, should think their own safety much concerned in examining and detaining my dispatches, written at such a juncture, is exceedingly probable. That they would not hesitate about the means, their former proceedings prove. I had also, previous to this, a proof of Mr. Carmichael's curiosity to examine my correspondence. My letters from London were addressed under cover to a tailor in Paris. I received one day by the penny post, in a cover addressed by a strange hand, a letter such as used to come through that channel, but which was open. Upon inquiring of the tailor, he told me that he had sent the packet to Mr. Carmichael, and that Mr. Carmichael's man had left word with his foreman to send all letters that came to him, including mine, to his master. This I have under the foreman's hand. I do not believe that any one in Paris but Mr. Carmichael knew of my letters coming that way, and he knew it a little before by accident.

How far these circumstances justify my suspicion I must submit to Congress. It seems certain that Captain Hynson was bribed by England, and if he had access given him to take my dispatches, he might have served both his employers by also taking the general dispatches.

I have the honor to be, with great respect, your obedient servant,

ARTHUR LEE.*

Dumas to the Committee of Foreign Affairs.†

THE HAGUE, April 14, 1778.

GENTLEMEN: I have the satisfaction of being able to apprise you that since the declaration of France, made here the 18th of March, affairs have taken in this country a most favorable turn. My last journey to Amsterdam has not been useless. But I can not trust to paper and to the vicissitudes of so long a voyage the detail of my operations. I constantly give information to your honorable commissioners, to whom I write almost every post. I will say only in general that the cabal of your enemies fails in all the attempts it has made to engage this republic to put herself in the breach for them. The republic is firmly determined to the most perfect neutrality if there be war; and I wait only the letters of the honorable commissioners at Paris, whom

* As to theft of Folger's papers, see *supra*, committee, etc., to commissioners, Jan. 12, 1778. Carmichael's high character as a man of honor and loyalty leads us to dismiss the above charge as a wild and unfounded suspicion. See Introduction, § 171.

† 5 Sparks' Dip. Rev. Corr., 243.

I have requested to propose a friendship and commerce direct and avowed between your States and theirs.*

We are preparing a third piece upon credit. I will add copies of it to my packet when it is printed.

At the moment I am about to seal my packet I learn for certain "that Lord Chatham, on the 7th of April, in the House of Lords, pleaded with so much warmth for not giving up the dependence of America, nor giving away the Americans, because he considered them a hereditament of the Prince of Wales, the Bishop of Osnaburgh, and the whole royal line of Brunswick, that he fainted away, but was soon recovered by the aid of two physicians. He confessed, however, that he did not know what the means were of preserving both."

I have the honor, etc.,

DUMAS. †

Lovell, for Committee of Foreign Affairs, to the Commissioners at Paris.‡

YORK, April 16, 1778.

GENTLEMEN: This, with my affectionate wishes for your prosperity, may serve to acquaint you that Congress has this day resolved, "That William Bingham, agent for the United States of America, now resident in Martinique, be authorized to draw bills of exchange at double usance on the commissioners of the United States at Paris for any sums not exceeding in the whole one hundred thousand livres tournois, to enable him to discharge debts by him contracted on account of the said States, for which draft he is to be accountable." Mr. Bingham will forward the American gazettes with this billet of advice, and tell you why we have enabled him to draw upon you when we have stores of produce in magazines for exportation. He will also inform you of our anxiety to know something of your proceedings and prospects, an uncommon fatality having attended your dispatches ever since the month of May last.

I am, with much esteem, etc.,

JAMES LOVELL,
For the Committee.

Lovell, for Committee of Foreign Affairs, to Bingham.§

YORK, April 16, 1778.

SIR: Herewith you have a copy of what I did myself the pleasure of writing to you on the 2d of last month; since which time we have

* On this subject see letter to M. Dumas, in 6 commissioners' correspondence, 338.

† For a letter from the committee of foreign affairs to M. Dumas, dated May 14, 1778, see correspondence of the commissioners in France, 281.

‡ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 278.

§ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 277, with verbal changes.

received your favors of January 14 and 26, February 8 and 21. Your draft of £23,554 9s. 9d., in favor of the secret (now commercial) committee, has been duly paid. The four first charges in your account current—like many other sums on similar occasions here—have been expended to no sort of profit to the Continent; but I hope we have seen the last of such expenses. Your situation must have been very disagreeable, indeed, in consequence of the failure of remittances from hence. Large quantities of tobacco have been long stored; but our bays and coasts are so infested by the enemy's ships of war, that it is impossible for us to conduct agreeably to our earnest wishes of maintaining the best credit in our commercial concerns abroad. It is probable that a commercial board—not members of Congress—will be very soon established; so that the whole time of the conductors may be spent in exertions for the public benefit in that branch of continental business.

The want of intelligence from our commissioners at Paris makes it improper for us to draw largely on them at present; therefore you must content yourself with the economical bounds of the power which is given to you by the within resolve of Congress of this day. Be assured, that all possible attempts will be made for your relief by remittances of our produce.

I find it impossible to convey to you anything of a plan of operations for this campaign. The enemy, having the sea open to them, must have the lead in military matters; we must oppose or follow them, just as they think fit, either to attempt an advance or to retire. It is hardly probable they will again attack New England without large re-enforcements.

Our correspondent at The Hague is very regular, but his intelligence is never in season to form the ground of any of our proceedings. We have packets from him in continuance to the letter Y, December 16, though our commissioners have not been able to convey one safely since May last. It is strange that they can not succeed through you. But, indeed, you appear also to know but little of them.

Mr. Deane being wanted here, Mr. John Adams sailed the 17th February, to take his place at the court of Versailles. It is probable you will hear of his arrival before this reaches you. It seems needless to desire you to give us early notice of that and other foreign intelligence. Your usual punctuality needed not the spur of the information which I have given you of our present great ignorance of the situation and transactions of the gentlemen at Paris.

I am, with much regard, your friend and humble servant,

JAMES LOVELL,
For the Committee of Foreign Affairs.

Franklin to Bancroft.*

PASSY, April 16, 1778.

DEAR SIR: I wish you would assure our friend that Dr. Franklin never gave any such expectations to Mr. Pultney. On the contrary, he told him that the commissioners could not succeed in their mission, whether they went to recover the *dependence* or to *divide*. His opinion is confirmed by the enclosed resolves, which perhaps it may not be amiss to publish in England. Please send me the newspaper.

Yours, affectionately,

B. FRANKLIN.†

Hartley to Franklin.‡

PARIS, April 23, 1788.

DEAR SIR: I will take care of all your commissions. This moment a second packet of infinite value is received, which I shall cherish as a mark of affection from you. I opened the letter by mistake which came with it, and soon saw it was not for me. I hope you will excuse it. I choose rather to throw myself upon your goodness for the excuse than anything else. I shall not set out till between one and two; therefore, if you will be so good as to send me another copy, I will take care of it and deliver it safely.

God bless you, my dear friend. No exertion or endeavor on my part shall be wanting that we may some time or other meet again in peace. Your powers are infinitely more influential than mine. To those powers I trust my last hopes. I will conclude, blessed are the peacemakers.

Your affectionate friend,

D. HARTLEY.

P. S.—If tempestuous times should come, take care of your own safety; events are uncertain, and men may be capricious.

Franklin to Hartley,§ under letter from Hartley to Franklin, of April 23, 1778.

I thank you for your kind caution, but having nearly finished a long life, I set but little value on what remains of it. Like a draper, when one chaffers with him for a remnant, I am ready to say, "As it is only the fag end, I will not differ with you about it; take it for what you please." Perhaps the best use such an old fellow can be put to is to make a martyr of him.

B. FRANKLIN.

* 2 Sparks' Dip. Rev. Corr., 30; 6 Bigelow's Franklin, 167.

† See Franklin to Pultney, March 30, 1778; Franklin to Reed, March 19, 1780.

‡ 2 Sparks' Dip. Rev. Corr., 30.

§ 2 Sparks' Dip. Rev. Corr., 31; 6 Bigelow's Franklin, 168.

Franklin to Vergennes.*

PASSAY, April 24, 1778.

SIR: Mr. Hartley, a member of Parliament, an old acquaintance of mine, arrived here from London on Sunday last. He is generally in the opposition, especially on American questions, but has some respect for Lord North. In conversation he expressed the strongest anxiety for peace with America, and appeared extremely desirous to know my sentiments of the terms which might probably be acceptable if offered: Whether America would not, to obtain peace, grant some superior advantages in trade to Britain, and enter into an alliance offensive and defensive; whether, if war should be declared against France, we had obliged ourselves by treaty to join with her against England.

My answers have been, that the United States were not fond of war, and with the advice of their friends would probably be easily prevailed with to make peace on equitable terms; but we had no terms committed to us to propose, and I did not choose to mention any; that Britain, having injured us heavily by making this unjust war upon us, might think herself well off, if, *on reparation of those injuries*, we admitted her to *equal* advantages with other nations in commerce, but certainly she had no reason to expect *superior*; that her known fondness for war, and the many instances of her readiness to engage in wars on frivolous occasions, were probably sufficient to cause an immediate rejection of every proposition for an *offensive* alliance with her; and that if she made war against France on our account, a peace with us at the same time was impossible; for that, having met with friendship from that generous nation when we were cruelly oppressed by England, we were under ties stronger than treaties could form to make common cause, which we should certainly do to the utmost of our power.

Here has also been with me a Mr. Chapman, who says he is a member of the Parliament of Ireland, on his way home from Nee, where he had been for the recovery of his health. He pretended to call on me only from motives of respect for my character, etc. But after a few compliments he entered on a similar discourse, urging much to know what terms would satisfy America, and whether, on having *peace and independence granted* to us, we should not be willing to submit to the navigation act, or give equivalent privileges in trade to Britain. The purport of my answer to him was, in short, that peace was of equal value to England as to us, and independence we were already in possession of; that, therefore, England's offer to grant them to us could not be considered as proposing any favor or as giving her a right to expect peculiar advantages in commerce. By his importunity I found his visit was not so occasional as he represented it, and from some expressions I conjectured he might be sent by Lord Shelburne to sound me and collect some information. On the whole, I gather from these conversa-

* 2 Sparks' Dip. Rev. Corr., 31; 6 Bigelow's Franklin, 170; 8 Sparks' Franklin, 268.

tions that the opposition, as well as the ministry, are perplexed with the present situation of affairs, and know not which way to turn themselves, whether it is best to go backward or forward, or what steps to take to extricate that nation from its present dangerous situation.

I thought it right to give your excellency an account of these interviews, and to acquaint you with my intention of avoiding such hereafter, as I see but little prospect of utility in them, and think they are very liable to hurtful misrepresentations.

By advices from London we learn that a fleet for Quebec, with goods valued at five hundred thousand pounds sterling, is to sail about the end of this month under convoy only of a single frigate of thirty guns, in which is to go Governor Haldimand.

Enclosed I send a paper I have just received from London. It is not subscribed by any name, but I know the hand. It is from an old friend of general and great acquaintance, and marks strongly the present distress and despair of considerate people in England.

I have the honor to be, with the greatest respect, your excellency's, etc.,

B. FRANKLIN.

A. Lee to Vergennes.*

CHAILLOT, April 24, 1778.

SIR: Since I had the honor of seeing your excellency, I have learnt that Mr. Hartley, in conversing with French people whose opinions he thinks may have weight, insinuates to them that engaging in a war in our favor is very impolitic, since you can expect nothing from us but ingratitude and ill faith, with which we have repaid Great Britain. To us he says the French have done nothing for you, they can never be trusted, no cordial connection can be formed with them; therefore you had better return back to your former connections, which may be upon your own terms if you will renounce France. This gentleman and the wise men who sent him have so high an opinion of our understandings that they flatter themselves these insinuations will succeed.

I have also been informed that besides their commissioners, the ministry have dispatched two persons to America to work privately as Mr. Hartley is doing. One of them is an American. I know them, and both the size of their understandings and the degree of their influence. There is nothing to apprehend from either. These are the little projects of little spirits, and will be attended with proportional success. They show the imbecility and distress of our enemies, and will only change the detestation of America into utter contempt.

I have the honor to be, etc.,

ARTHUR LEE.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 492. Sec. 2 A. Lee's Life, 47.

Vergennes to A. Lee.

[Translation.*]

VERSAILLES, April 24, 1778.

SIR: I am obliged to you for your attention in communicating Mr. Hartley's insinuations, as well to yourself as to such other persons as he may suppose he can influence in this country. I doubt that he finds easier access to you than he will surely find with us; and I can assure you that he will not find us accessible to the prejudices he may wish to inspire us with.

I conclude, being obliged to attend the council, requesting you to accept of the assurances of the perfect respect with which I have the honor, etc.,

DE VERGENNES.

Izard to Franklin.†

PARIS, April 25, 1778.

SIR: It is with the utmost astonishment that I find myself so often obliged to remind you of your engagement to me. You have repeatedly given me the strongest assurances that you would justify your conduct to me in writing, but you have not kept your word. Dr. Baneroff and your grandson have both told me that this justification has long ago been begun and you have several times been employed about it.

The cautious manner in which you concealed the departure of M. Gerard, the French plenipotentiary, and Mr. Deane from those who have complaints against you manifests on your part no inclination to discontinue the causes of them. The losses of the public dispatches to Congress, by accident at sea, by the capture of the enemy, and by the villainy or negligence of those to whose care they have been entrusted, ought to have deterred you from concealing so safe an opportunity from those whose duty requires them to write. It might have been very proper that the port from which they were to sail should have been concealed, as well as the manner of their going; but it appears to me to have been your indispensable duty to inform those gentlemen who have the honor of holding commissions from Congress whenever you know of a safe opportunity of writing to America.

It may not be necessary to discuss this point with you, as it will probably be laid before Congress, and they will form a proper judgment both of the fact and your motives. My business with you at present respects your conduct previous to the departure of M. Gerard and Mr. Deane, and I wish that neither your attention nor mine may be drawn from it. Mr. Lloyd has informed me that you told him there would be an opportunity of writing soon to America. I must request that you will no longer attempt to amuse me with promises and excuses,

* 1 Sparks' Dip. Rev. Corr., 493.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 666.

but that you will give me the explanation which you have so often bound yourself to give, that it may be laid, by that opportunity if necessary, before the representatives of my country, or that you will let me know in writing that you will not give it me.

I am, sir, etc.,

RALPH IZARD.

Vergennes to Franklin.

[Translation.*]

VERSAILLES, April 25, 1778.

I have made known to the king, sir, the substance of the letter which you did me the honor of writing to me yesterday, and I am directed by his majesty to express to you the satisfaction he has experienced from the information which you have communicated on your conferences with Mr. Hartley. The grand principle of the English policy has always been to excite divisions, and it is by such means she expects to sustain her empire; but it is not upon you, nor upon your colleagues, that she can practise such arts with success. I entertain the same sentiments of confidence in the United States. As to the rest, it is impossible to speak with more dignity, frankness, and firmness than you have done to Mr. Hartley; he has no reason to be very well satisfied with his mission. I doubt whether this member of Parliament has any mission for us; but he desires to see me, and I expect him in the course of the morning. I should not be at all surprised if his purpose be to sow distrust between us by proposing a double negotiation. That I can obviate; but whatever passes between us, however trifling it may be, you shall be made acquainted with.

I have the honor to be, with the most perfect consideration, sir, your most humble and most obedient servant,

DE VERGENNES.

Lovell, for Committee of Foreign Affairs, to Bingham.[†]

YORK, April 26, 1778.

SIR: Herewith you have a triplicate and copy of my former letters. I now send you the proceedings of Congress upon an appearance of the draughts of two bills, said to have been read in the British Parliament. Since Congress took notice of them, Governor Tryon has sent out from New York copies of them with greater marks of authenticity than those bore which first came to hand. He certifies that he "has his majesty's command to cause them to be printed and dispersed, that the people at large may be acquainted with the contents, and of the favorable disposition of Great Britain towards the American Colonies."

* 2 Sparks' Dip. Rev. Corr., 33; 6 Bigelow's Franklin, 172; 8 Sparks' Franklin, 271.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 280.

I will not attempt to lead your judgment upon these proceedings of our enemies. I will only add an anecdote of their late conduct, nearly allied to that of counterfeiting our Continental currency. They have published, in all our forms, a forged resolve of Congress,* purporting a consignment of power to General Washington to detain in his army, *during the war*, all militiamen who have enlisted or been draughted for nine months or a year, and to treat as deserters such as attempt to leave him at the expiration of their present agreement. Perhaps you will see this properly stigmatized in some of our eastern papers conveyed in the vessel which may carry this assurance of my being, with much regard, sir, your friend and humble servant,

JAMES LOVELL,
For the Committee.

Franklin to Ross.[†]

PASSY, April 26, 1778.

SIR: The multiplicity of affairs we have lately been engaged in, together with Mr. Deane's departure, who used to correspond with you, occasioned a deficiency in answering your letters. On looking them over I find some reflections on the commissioners, as having acted an ingenious part relative to the papers left by Mr. Thomas Morris. It appears that you have not been well informed, and therefore I would now give you the history of the transaction.

On the death of Mr. Morris it was represented to the commissioners that, on pretense of some kind of partnership between him and Mr. Penet, that gentleman might probably get possession of the papers, which would be attended with great inconvenience in case of any dispute on a settlement of the public accounts: and that, therefore, to prevent this, it was necessary Mr. W. Lee, the surviving colleague, should go down and take them into his custody; but, to enable him to do that, an order from government here should be obtained, directing the public officers in whose hands they regularly were to deliver them to him; and the memorial requesting such an order was brought to Mr. Deane, and one, ready drawn by Mr. A. Lee, to be signed, which we did without hesitation; I, for my part, not having the least doubt that, on receiving them, he would deliver to you those belonging to the affairs of Willing & Morris. When he returned he gave it as the reason of his not doing so that you had quarreled with him, used him rudely, denied his authority to meddle with the public papers, and required the whole to be delivered to you; on which he had brought the trunk containing them up to Paris as he received it, sealed by two gentlemen of credit; and he desired that, to prevent reflections or sus-

* See note to Marbois' letter of March 13, 1782.

[†] MSS. Dep. of State; 6 Bigelow's Franklin, 173. Endorsed: Letter to Mr. Jn. Ross, April 26, '78; not sent, May 19, '78.

picons, it might be opened and the papers divided in our presence. We consented to this, and I went to his house for that purpose, where Mr. Izard attended to verify the seals of the two gentlemen that were on the trunk. But, Mr. Deane being hindered from attending by an accident, the business was postponed, and, as I soon after understood by your letters that Mr. Lee had had the papers under his particular examination several days before that formal sealing, of which I therefore did not see the use; and apprehending some danger of being involved in your quarrel, I refused, on consideration, to have anything to do with the opening and sorting of the papers. Mr. Lee was about to set out for Germany, and intimated that our not doing this must stop his journey. To remove this obstacle, as Mr. Deane was going to America and Mr. A. Lee might soon go to Spain, I let him know that if he chose to leave the trunk, sealed, in my care, to be delivered in the same state to him or his order, I would consent to take it. He accordingly brought it to my house, with a receipt to that purpose ready written for me to sign. I signed it accordingly, and thought that might have been sufficient; but, so cautious is he, that, lest I should deny my handwriting (I suppose this reason because, I can not conceive another), he desired four persons to put their hands to the receipt as witnesses. He has, indeed, excused this since, by saying that he meant only to have it appear that, those gentlemen being present, approved of his delivery of the trunk to me. This might do for two of them, Mr. Deane and his brother, who, being commissioners that with me procured for him the power of taking possession of them, had, therefore, some right to give their approbation; but the two others, Mr. Izard and Mr. Pringle, had no concern in the affair. Thus you see how the trunk comes to be in my hands, and yet not in my disposition. It is said to contain Mr. Morris's papers. I know nothing of the contents, and can know nothing of them, being obliged to deliver the trunk sealed as I received it; and I refused to take the key. And, apprehending Mr. Lee to be a very artful as well as disputatious man, I now wish I had not even consented to receive it. You see here the innocent part Mr. Deane and I have had in this affair; yet Mr. Lee has reflected upon us in one of his letters to me as countenancing you in treating him ill at Nantes, and you affront us as having given him our sanction for inspecting and carrying off the papers belonging to the house of Willing & Morris. But nothing is more common than to pass censures without knowing facts.

Mr. William Lee, in some conversation, expressed his opinion that a power to receive the papers ought to come from Mr. Morris's legal representative, otherwise he could not deliver them. I mention this for your information, as I suppose he will deliver them to no other person, for he is much of a lawyer, and would do everything regularly.

I am, etc.,

B. FRANKLIN.

A. Lee to Committee of Correspondence.*

PARIS, April 26, 1778.

At my return from London, the 8th of January last, I thought it my duty to inform Dr. Franklin as well as Mr. Deane of the injurious report propagated against the commissioners, viz: That Mr. Hartley told me that Lord North had informed him that he knew of Dr. Bancroft's being in London, and was informed he had been sent there by the American commissioners to stock-job.

The above is the declaration of Mr. Thornton, whom the commissioners sent with their letter to Lord North touching the prisoners. He informed me as above on his return, and told me at the same time that he had given the same information to Dr. Franklin. Dr. Bancroft lived in the same house with Dr. F. and Mr. D. at the public expense. He set out express for London immediately upon our receiving the news of General Burgoyne's surrender. His departure was kept a secret from me for some time. He has been trusted since by Dr. F. and Mr. D. with the secrets of state communicated to the three commissioners only, with such strict injunctions of secrecy that the commissioners thought they were not at liberty to communicate them to the commissioners for Vienna and Tuscany, and Mr. Lee would not do it without their concurrence. Dr. Bancroft still remains in the confidence of Dr. F., and conveys everything to the Messrs. Wharton in London, who seem to be acting on both sides. The minister here has repeatedly warned the commissioners that they had a traitor about them, and that at the time that Folger's dispatches were robbed a most important memoire from the commissioners to the courts of Versailles and Madrid was conveyed to the English court through the hands of Governor Pownall. Upon speaking of this to Count Vergennes as soon as I was informed of it by Mr. Hartley, his excellency assured me that no one had been trusted with it but Mr. Girard, and therefore the treachery could not be from one of their people.

These are facts which I think it my duty to represent to Congress, that they may take such order in it as to their wisdom shall seem fit.

I have the honor to be, with great respect, gentlemen, your obedient servant.

ARTHUR LEE.†

Pringle to Izard.‡

PARIS, April 26, 1778.

SIR: In compliance with your request I waited on Dr. Franklin, and delivered to him your letter. He had scarcely read it when he said,

* 2 A. Lee's Life, 47.

† So far as the records of the department show this dispatch was never received.

‡ MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 667.

"Mr. Izard has written me a very angry letter; please to tell him that he has only made use of general assertions of my having done wrong, which I can not otherwise answer than by denying. If I have given him any causes of offense, he should let me know what they are." To this I replied, "That you had been kind enough to form so good an opinion of me as to admit me into a share of your confidence; therefore I could take upon me to say that you were persuaded you had clearly stated, in the several letters he had received from you, circumstances affording sufficient grounds of offense." He said "he should be glad to know what those circumstances were." I answered in the first place, "that conceiving it your duty, as a member of the States, having a considerable fortune there, and entrusted with a commission from Congress, to communicate, as occasion offered, all the intelligence you could, you found this communication greatly obstructed by a concealment, on the part of Dr. Franklin, of proper opportunities when it was quite unnecessary, or when the end of secrecy might be answered though you had been entrusted with the knowledge of them." Upon which Dr. Franklin told me, "that you had only complained of this in the present letter; and as to the particular opportunity you mentioned by Monsieur Girard or Mr. Deane, he had not himself looked upon it as a good or proper one, and had not himself made use of it to write."

As another ground of complaint I observed, "that while the commercial treaty was on the carpet, you considered one article as highly unreasonable and inexpedient, and therefore expressly objected to it; you had in a letter fully specified the reasons upon which your disapprobation was founded, and had sent this letter to Dr. Franklin in hopes of his removing your scruples and setting you right if you were wrong, or letting your objections and reasons, if they were just, produce some good effect before the conclusion of the treaty; but you had never been favored with any answer on the subject, though you had repeatedly requested it." Dr. Franklin alleged "that he would have given a full and satisfactory answer, but he had been prevented by business and various avocations; that he was still willing to give one, but could not conceive why you should be so impatient. Suppose he could not give it for a month hence, what great inconvenience would it occasion?" I observed, "that the sooner you had it, you might be the better prepared to guard against any misrepresentation." Dr. Franklin assured me that he had not been, nor would he ever be, guilty of any misrepresentation; so far from it, that he had not even written anything concerning the matter. I told him, perhaps you might choose to lay it before Congress, and his answer might enable you to do it more fully and satisfactorily. Dr. Franklin said you should have an answer, but you must be patient; for he really was very much engaged by other business, and interrupted by people continually coming in upon him, though some upon frivolous errands, as was the case with the two Frenchmen just gone away, who came only to ask him to buy cloth.

I suggested as a third ground of complaint that you had been directed by the Congress to propose to the court of Tuscany a commercial treaty similar to the one concluded with this court, which you therefore required as necessary for your regulation, in pursuance of the instructions of Congress, who directed you should have not on'y the original treaty, but also the alterations which might be proposed; both were nevertheless withheld from you by Dr. Franklin without the least regard to your applications. Dr. Franklin replied, "Did he go into Tuscany? Has not the treaty been sent to him?" I said, you had good reasons for staying; that the treaty was kept from you till the other day, when perhaps it was necessary for you to have had it as early as possible, even previous to your departure, to give it the maturer consideration, and because there might be explanations you would like to have made here, or observations might occur to you which you might think it advisable to communicate to Congress, to have their further instructions as soon as you could.

I do not recollect that Dr. Franklin made any direct reply to this. He observed, that he was clear he had not given you any just cause of offense or reasonable grounds of complaint, that he was studious to avoid contention; he acknowledged that he owed you an answer, but though he was in your debt, he hoped you would be a merciful creditor; he would say, as the debtor in the Scripture, "Have patience, and I will pay thee all;" that you certainly ought to give him time, as you had urged so much matter as would require a pamphlet in answer. I told him that I was sure it was far from your disposition to court quarrels; that if the reasons he gave in his answer to you were just and satisfactory, you would undoubtedly allow them their full weight; that satisfaction you were desirous of having, and were anxious to have the affair ended. He said he should endeavor to do it as soon as possible; in the mean time he hoped to have no more such angry letters from you; his answer he promised should be a cool one, and that people who wrote such angry letters should keep them till they sufficiently reflected on the contents before they sent them.

The above is nearly, to the best of my recollection, the substance, if not for the most part the words, of the conversation which passed between Dr. Franklin and myself, upon delivering him your letter to-day.

I have the honor to be, etc.,

JOHN JULIUS PRINGLE.

Sartine to Vergennes.*

VERSAILLES, April 26, 1778.

SIR: I have received your letter of the 20th instant, accompanied by the translation of the representations addressed to you by the American commissioners relative to the fears of the merchants of Bordeaux

* Translation in 1 Sparks' Dip. Rev. Corr., 279.

and Nantes, who have hitherto transacted business with America, and by the request of the commissioners with regard to the protection of that commerce. For nearly a month the French coast along the Bay of Biscay, and a part of that on the Channel, have been guarded by twenty frigates and corvettes, distributed in the open sea, as well as along the entrances of harbors and rivers. Those stationed at the latter places take under their protection the French and American ships which sail from those points, and convoy them beyond the capes. If they meet any vessels inward bound, they convoy them to the entrance of the harbors.

The frigates stationed farther out at sea are employed in chasing away the Guernsey and Jersey privateers, which are a great interruption to commerce. The same orders have been issued in the Colonies, where the frigates there stationed convoy the French and American vessels from the coasts. The reports made to me assure me that these orders are promptly executed, and that the protection is extended as fully to American as to French vessels. You will agree with me that this kind of protection is, for the present, the only one which it is possible to give to commerce; and that convoys to America would be impracticable under present circumstances, and are always insecure, and subject to great inconveniences. To protect the coasts, to assure a free access to the harbors, to remove the privateers, and afford a convoy beyond the capes, these aids commerce requires, and has a right to expect; and they have long since been provided by the orders of his majesty. The commissioners cannot reasonably complain when, in this respect, the American vessels are on an equal footing with those of his majesty's subjects.

I have the honor to be, etc.,

DE SARTINE.*

— — — — —
Jay to Morris.†

ALBANY, April 29, 1778.

DEAR MORRIS: My last to you was written about a week ago. I am now engaged in the most disagreeable part of my duty, trying criminals. They multiply exceedingly. Robberies become frequent; the woods

* "Sartine, who had been the minister of marine from the 24th August, 1774, and a member of the king's council since 1775, showed great capacity in building up the French navy, and but little skill in the use of it. He had neither the prestige nor the power to reform its innumerable administrative abuses. Accused by Neckar of irregularity in his accounts by an expenditure of an excess of twenty millions over the extraordinary credit granted the marine by the act of the 14th October, 1780, he had been dismissed from his post. His successor, the Marquis de Castries, had greatly distinguished himself as a military officer at the battle of Clostercamp, but had, as yet, shown no administrative powers."—Stevens' French in Rhode Island, 3 Mag. Amer. Hist., 412.

† 2 Jay's Life, 23; 1 Jay's Cor. and Pub. Papers, 179.

afford them shelter and the tories food. Punishments must of course become certain and mercy dormant, a harsh system, repugnant to my feelings, but nevertheless necessary. In such circumstances lenity would be cruelty, and severity is found on the side of humanity.

The influence of Lord North's conciliatory plan is happily counterbalanced by the intelligence from France. There was danger of its creating divisions. A desire of peace is natural to a harassed people, and the mass of mankind prefer present ease to the arduous exertions often necessary to insure permanent tranquillity.

What the French treaty may be I know not. If Britain would acknowledge our independence, and enter into a liberal alliance with us, I should prefer a connection with her to a league with any power on earth. Whether those objects be attainable experience only can determine. I suspect the commissioners will have instructions to exceed their powers, if necessary. Peace at all events is, in my opinion, the wish of the minister. I hope the present favorable aspect of our affairs will neither make us arrogant nor careless. Moderation in prosperity marks great minds, and denotes a generous people. Your game is now in a delicate situation, and the least bad play may ruin it. I view a return to the domination of Britain with horror, and would risk all for independence; but that point ceded, I would give them advantageous commercial terms. The destruction of Old England would hurt me; I wish it well; it afforded my ancestors an asylum from persecution.

Parties here are still in a ferment. I hope it will be the means of purging off much scum and dross. I can't be particular. This letter may never reach you.

I expect in a few days to see General Schuyler; and my importunities shall not be wanting to urge him to join you without delay. The people grow more reconciled to him.

The military departments here, I believe, are well managed. The commissary deserves credit. Handsome things are said of the quartermaster, and there is one at the head of the artillery who appears to me to have much merit. The park elaboratory and stores are in high order. There is the appearance of regularity, care, and attention in all the public works. As to the hospital I can say little, not being as yet well informed. Conway is pleased with Schuyler, and manages the Vermont troops properly; but of this say nothing. I fancy he does not well understand the views of his patron. Neither of them ought to know this.

The clothier-general, once the Duke of Bolton's butler, is an anti-Washington. An ignorant butcher is issuing commissary. Let me again hint to you the propriety of restraining the staff from trade; besides general reasons, there are particular ones. Many good cannon remain yet at Ticonderoga; strange neglect. Remember Vermont. Why do the marine committee keep Tudor in pay? I can't hear that he does anything for it.

I am, and will be, your friend,

JOHN JAY.

Lovell, for Committee of Foreign Affairs, to the Commissioners at Paris.*

YORK, April 30, 1778.

GENTLEMEN: By the gazettes which accompany this letter you will see that the enemy are entering upon a plan which must shortly perplex us much, unless we receive dispatches from you to enlighten us as to your situation and transactions, of which we have had no information since the latter end of May. As we have heard of the loss of Captain Johnson and Captain Wickes, and know that John Folger was robbed, we can not charge our present want of letters to negligence in you; but we think you should not rest satisfied without sending triplicates of all your dispatches. The commercial committee will transmit to you the contract which they have entered into with the agent of the house of Roderique Hortalez & Co.; the heads of which contract, happening to be at hand, are enclosed.

We have read a letter written by a friend, dated House of Commons, February 13, in which we are told that you had concluded a treaty with France and Spain, which was on the water towards us. Imagine how solicitous we are to know the truth of this before we receive any proposals from Britain, in consequence of the scheme in Lord North's speech, and the two draughts of bills now sent to you. The state of our foreign connections is a subject now before Congress; and, dubious as we are about your transactions, some resolutions will probably be formed to be transmitted to you by a special conveyance shortly, when a general account of our affairs will also be sent. We have little uneasiness about the strength of our enemy. Our currency must be supported in due credit, after which we may bid defiance to Britain and all her German hirelings. We wish every advice and assistance from you for the support of such credit.

I am, with great regard, etc.,

JAMES LOVELL,
For the Committee of Foreign Affairs.

Morris to Lovell.†

MANHEIM, May 2, 1778.

DEAR SIR: Just as I was about to return from Lancaster last night for this place I heard of Mr. Simeon Deane's arrival there from France, and had the pleasure of hearing from him the good news he brings to Congress. He delivered me the five enclosed packets, directed to me as chairman of the committee, and expecting there might be some private letters for me I opened them, but was disappointed. I have hardly read them through, being desirous they should be with you

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 281.

†MSS. Dep. of State.

soon as Mr. Deane, who leaves Lancaster this morning, and I send these by Mr. Charles Miller, by whom I beg you will send my letters, if any there be for me, made up with the public dispatches. You will add greatly to the favor if you will write me a few lines with a summary of the intelligence and the heads of the treaty. Mr. Miller will wait your leisure for this. Mr. Deane tells me my brother has paid the last forfeit of his follies by his death on the 1st of February last. It is the happiest thing that could befall him, but has in some degree renewed my feelings on his account.

I am, sir, etc.,

ROBERT MORRIS.

Congress.*

MAY 2-4, 1778.

Congress resumed the consideration of the state of these United States with respect to foreign nations; whereupon,

Resolved, That a committee of three be appointed to report proper instructions to be transmitted to the commissioners of the United States at foreign courts.

The members chosen : Mr. R. H. Lee, Mr. G. Morris, and Mr. Sherman.

During the adjournment Mr. Simeon Deane, brother to Silas Deane, esq., one of the commissioners at the court of Versailles, arrived express from France with sundry important dispatches. Whereupon Congress was convened and the dispatches opened and read; among which are a treaty of commerce and a treaty of alliance concluded between his most Christian majesty the King of France and the United States of America on the 6th day of February, 1778.

MAY 4, 1778.

Congress took into consideration the treaties concluded between his most Christian majesty the King of France and the United States of America, which were read, and are as follows:

[Here follows full power to M. Gerard and treaties of commerce and alliance.]

MAY 4, P. M.

Congress resumed the consideration of the treaty of amity and commerce, concluded at Paris the 6th day of February, 1778, between the most Christian king and the United States of America; and the same being read, duly weighed, and considered,

Resolved unanimously, That the same be, and is hereby, ratified.

Congress also took into consideration the treaty of alliance, concluded at Paris on the 6th day of February, 1778, between the most Christian king and the United States of America, and the same being read, duly weighed, and considered,

* MSS. secret journals, Dep. of State; printed journals.

Resolved unanimously, That the same be, and is hereby, ratified.

Congress also took into consideration the act separate and secret, concluded at Paris the 6th day of February, 1778, between his most Christian majesty and the United States of America, and the same being duly weighed,

Resolved unanimously, That the same be, and is hereby, ratified.

Resolved, That this Congress entertain the highest sense of the magnanimity and wisdom of his most Christian majesty so strongly exemplified in the treaty of amity and commerce and the treaty of alliance entered into on the part of his most Christian majesty with these United States at Paris, on the 6th day of February last. And the commissioners, or any of them, representing these States at the court of France, are directed to present the grateful acknowledgments of this Congress to his most Christian majesty for his truly magnanimous conduct respecting these States in the said generous and disinterested treaties, and to assure his majesty on the part of this Congress it is sincerely wished that the friendship so happily commenced between France and these United States may be perpetual.

Resolved, That a committee of three be appointed to prepare the form of a ratification of the foregoing treaties.

The members chosen: Mr. R. H. Lee, Mr. Dana, and Mr. Drayton.

Congress.*

MAY 5, 1778.

Resolved, That the commissioners, or any one of them, representing these United States at the court of France, be instructed to inform that court, that although Congress have readily ratified the treaties of amity and commerce and treaty of alliance and the act separate and secret between his most Christian majesty and these United States, in order to evince more clearly their sense of the magnanimity and goodness of his most Christian majesty, evidenced in the said treaties, yet from a sincere desire of rendering the friendship and alliance so happily begun permanent and perpetual, and being apprehensive that differences may arise from the eleventh and twelfth articles in the treaty of amity and commerce, Congress are desirous that the said eleventh and twelfth articles may be revoked and utterly expunged. The commissioners, or any one of them, are therefore instructed to use their best endeavors to procure the abolition of the said eleventh and twelfth articles of the said treaty.

* MSS. secret journals, Dep. of State; printed journals.

H. Laurens to Washington.*

YORKTOWN, May 5, 1778.

DEAR SIR: In a public letter, which I had the honor of writing to your excellency the 3d instant by Major Price, I sent a number of handbills calculated for giving satisfactory information to the public, who were anxious to learn the recent intelligence from France. One article of this has been questioned, respecting the King of Prussia's promise, the only part of the performance that can be called mine. I believe my authority is good. Izard, under the 16th February, informs me: "The King of Prussia has given the most explicit and unequivocal assurance that he will be the second power in Europe to acknowledge the independence of America." It is true our commissioners, in their public advices, are not so express, nor are they, in my opinion, so full and clear in some other respects as they might have been.

Human nature pervades every human breast. A residence at Paris will not exempt men from infirmities of the mind, nor is even the momentous concern of guardianship to thirteen United States, an infant world in danger of being crushed by the hand of violence, paramount to those curses upon mankind, pride and covetousness, sources from whence all the evils of this life spring. Our ambassadorial commissioners, of which your excellency can not be ignorant, are unhappily divided in sentiments. Jarrings and appeals have followed. Intelligence intended for the public loses part of that fullness and perspicuity which would have appeared in candid and united counsels. I have seen so much of the world as to be guarded against surprise at anything. No inconsiderable benefit results from attempts to reconcile, and even sweeten, the most untoward circumstances which happen in one's journey through it. I apprehend it would break in on your excellency's time, otherwise I would have troubled you with Mr. Izard's letter, not merely for information, but for a hope that something might be devised for promoting concord between our friends yonder, or the public good, by a wise coöperation. But I will not dwell upon this subject.

Last night I had the honor of receiving your excellency's favor of the last of April, and am happy in finding a confirmation of my sentiments respecting persons proper for treating with the expected deputation from our adversary. I fear the determination, where only this point can be determined, will be contrary. Be it so; thank God, we have here some men of abilities and integrity. I hope we shall make a judicious choice. The act of Congress of the 22d April will blot out pages of the British instructions. The commissioners from that side will perceive a necessity for taking a new departure from the Tower of Independence, and what happened in France on the 6th of February will oblige them to shape a new course. From the absence of the

*² Sparks' Letters to Washington, 117.

commissioners, I presume they had not sailed from England on the 10th of March. It may have been found expedient, at St. James, to vest them with more ample powers, if they meant to come, than were originally intended, and under new sanctions of Parliament; a work of slow progress. The people would have much to say. That the nation was more than a little agitated, appears from a letter which I take the liberty of enclosing for your excellency's perusal. I have likewise a letter from the mercantile line in London, which proves to me the people in general had very sensibly felt the weight of the war, were ardently desirous of peace, and anxious lest Congress should reject the intended propositions.

The long, and as I humbly think unnecessary, delay of the army arrangement is very afflicting. I know it must give extreme pain to your excellency. It is improper for me to touch upon the cause, especially when it is so well known that Congress have been engaged in very important business. The plan introduced for that part of it which is intended to establish a half-pay for officers during life I have been uniformly averse from, and in a committee of Congress delivered my objections. These appear to me, at this moment, of more weight, because they have not been removed by the reasonings which have been offered against them, and I may, without vanity, think myself not obstinate. I am open to conviction, and always, without murmuring submit to a majority. I view the scheme as altogether unjust and unconstitutional in its nature, and full of dangerous consequences. It is an unhappy dilemma to which we seem to be reduced. Provide for your officers in terms dictated to you, or lose all the valuable soldiers among them; establish a pension for officers, make them a separate body, to be provided for by the honest yeomanry, and others of their fellow citizens, many thousands of whom have equal claims upon every ground of loss of estate, health, etc., or lose your army and your cause. That such provision will be against the grain of the people, has been unwarily testified by its advocates, whom I have heard converse upon the subject. Indeed they have furnished strong ground for opposition against an immediate compliance with the demand. If we can not make justice one of the pillars, necessity may be submitted to at present; but republicans will, at a proper time, withdraw a grant which will appear to have been extorted.

Were I in private conversation with an officer on this point, I should not despair of fairly balancing every grievance he might suppose to be peculiar to the army by instances of losses and inconveniences in my own property and person; and I count myself very happy compared with thousands who have as faithfully adhered to our original compact. It is said gentlemen did not think the war would have continued so long. Forgive me, sir, a ludicrous remark which I made early in our contest—indeed in England, before the commencement of the contest. “I know my countrymen are good for the quarter, but I have doubts of their going the course.” There is a certain versatility,

habitual if not almost constitutional, in men born south of 38 degrees of latitude in these States. Circumstances which have occurred in the progress of this war have given strength to my observation.

There are, within that division of America, not only objects inviting, but temptations almost irresistible to change, to say nothing of the general train of education. Hence, it is easy to account for a resignation of a commission, which had been anxiously solicited by scores. The want of something is made an excuse, and even sometimes by worthy characters, who do not suspect themselves. Would to God gentlemen had followed the noble, patriotic example of their commander-in-chief, a plan which, reflection will show them in a shade of disgrace, would never have found place in their minds. How superior are many of the gentlemen now in my contemplation (for I know many with whom I do not converse) to the acceptance of a half pay contributed to by widows and orphans of soldiers who had bled and died by their sides, shackled with a condition of being excluded from the privilege of serving in offices in common with their fellow-citizens; voted in every house of assembly as the drones and incumbrances of society, pointed at by boys and girls—there goes a man who every year robs me of part of my pittance. I think, sir, I do not overstrain. This will be the language of republicans. How pungent when applied to gentlemen who shall have stepped from the army into a good remaining estate; how much deeper to some who, in idleness and by speculation, have amassed estates in the war!

This, sir, is a large field. Virtue and honor might be summoned to answer, but it is time for me to forbear. I am obliged to write in haste, called upon by particular public duties. Besides, I feel a full assurance, notwithstanding the present seeming contrariety, that my sentiments, when fully explained, will not differ essentially from your excellency's. I must not, however, conclude without these declarations, that I am not among those to whom may be applied, "Our God and soldier we adore in time of danger," etc. I am most heartily disposed to distinguish the gallant officers and soldiers by the most liberal marks of esteem, desirous of making proper provision for all who stand in need. I would not except even some of the brave, whose expenses have been princely in extravagance, while they complained of insufficiency of pay.

I have ever detested, and never practiced, parliamentary jockeyings for procrastinating an unpalatable business, which, as a silent auditor and spectator, I have, within some time past, known to be alternately adopted. I most sincerely wish the army had been wisely attended to. The high esteem I from gratitude bear for your excellency, whose sufferings from a contrary conduct I know must have been great, as well as my love of dispatch, makes me wish it; and I lament that in some degree we are likely to be indebted more to the policy and deep projects

of other men for our deliverance than to our own wisdom and fortitude. I am, with the most sincere respect, and the most respectful affection and esteem, dear sir,

Your most obliged servant,

HENRY LAURENS.

A. Lee to Committee of Foreign Affairs.*

PARIS, May 9, 1778.

GENTLEMEN: No declaration of war in Germany or England. All things are preparing for it. Count d'Estaing had not passed Gibraltar the 27th of last month, contrary winds having prevented his passing the straits. About thirty sail of the line are assembled at Spithead under Admiral Keppel, but are not yet in a state for action. They are arraying their militia, and the chief object of their attention now seems to be their own defense. As far as I can judge the king and his ministers are not now sincere in their propositions, even such as they are, of peace and accommodation.

I have not yet obtained any light on Folger's affairs. The enclosed copy of a letter from Count de Vergennes will show you the train in which I have put the enquiry. But I have reason to apprehend that persons are concerned who will have address enough to frustrate it. The blank paper substituted for the letters taken should be preserved and compared with the paper of all the letters received by the same vessel. Some discovery may be pointed out by that. Mr. Deane and Mr. Carmichael should be examined and their accounts transmitted here to be compared with those of others.

Spain and the German powers are yet undecided with regard to us. I do not think our enemies will succeed with Holland. We shall endeavor to establish a fund for the purposes you desire.

I have the honor to be, etc.,

ARTHUR LEE.

P. S.—By the banker's accounts it appears that the following sums were paid from December, 1776, to March, 1778, to the private disposition of the commissioners:

	Livres.
To Dr. Franklin	65,956 3 13
To Silas Deane	113,004 12 13
To Arthur Lee	68,846 2 16

In my sum is included the additional expense of my journeys to Spain and Germany.

* 2 A. Lee's Life, 48; 1 Sparks' Dip. Rev. Corr., 493.

R. H. Lee and Lovell, for Committee of Foreign Affairs, to the Commissioners
at Paris.*

YORK, May 14, 1778.

GENTLEMEN: Our affairs have now a universally good appearance. Everything at home and abroad seems verging towards a happy and permanent period. We are preparing for either war or peace. For although we are fully persuaded that our enemies are wearied, beaten, and in despair, yet we shall not presume too much on that persuasion, and the rather, because it is our fixed determination to admit no terms of peace but such as are fully in character with the dignity of independent States, and consistent with the spirit and intention of our alliances on the Continent of Europe. We believe, and with great reason too, that the honor and fortitude of America have been rendered suspicious in Europe by the arts, intrigue, and specious misrepresentations of our enemies there. Every proceeding and policy of ours have been tortured to give some possible coloring to their assertions of a doubtful disposition in America, as to her perseverance in maintaining her independency; and perhaps the speeches of many of the minority of both houses in the English Parliament, who seem to persist in the probability of a reconciliation, may have contributed towards a continuance of that suspicion. But we, at this particular time, feel ourselves exceedingly happy in a proof, from the accidental arrangement of circumstances, such as we could neither foresee nor alter, that the disposition of America on that head was fixed and final. For this proof we desire your attention to what follows.

The English ministry appear to have been very industrious in getting over to America as soon as possible, their two conciliatory bills, even before they had been once read, the reason of which haste we did not then see; but the arrival of your dispatches since, with the treaties, has unriddled that affair. General Howe was equally industrious in circulating them by his emissaries through the country, and likewise sent them, under a flag, to General Washington, who immediately dispatched them to Congress on the — of April. They were in themselves truly unworthy of the attention of that public body; but lest the silence of Congress should be misunderstood, or furnish the enemy with new ground for false insinuations, they were referred to a committee, whose judicious and spirited report thereon was unanimously approved in the House on the 22d, then published, and circulated through the several States with all possible expedition. The dispatches in charge of Mr. Simeon Deane did not arrive till the 2d of May, ten days after the said reports were published; and his expedition in bringing his papers to Congress prevented any intelligence from arriving before him. Enclosed are the reports referred to, which we recommend to your attention to make as public as possible in Europe, prefacing

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 283.

them with such an explanatory detail of the before-mentioned circumstances as shall have a tendency to place the politics of America on the firm basis of national honor, integrity, and fortitude.

We admire the wisdom and true dignity of the court of France on their part of the construction and ratification of the treaties between us. They have a powerful tendency to dissolve effectually that narrowness of mind which mankind have been too unhappily bred up in. Those treaties discover the politician founded on the philosopher, and a harmony of affections made the groundwork of mutual interest. France has won us more powerfully than any reserved treaties could possibly bind us, and by one generous and noble act has sown the seeds of an eternal friendship.

It is from an anxiety to preserve inviolate this cordial union, so happily begun, that we desire your particular attention to the eleventh and twelfth articles of the treaty of amity and commerce. The unreserved confidence of Congress in the good disposition of the court of France will sufficiently appear from their having unanimously first ratified those treaties, and then trusted any alteration which may be proper to be made to after mutual negotiations. We are apprehensive that the general and undefined line of the twelfth article may, in future, be misunderstood, or rendered inconvenient or impracticable, and so become detrimental to that good friendship which we wish ever to subsist. To prevent this, you will herewith receive instruction and authority for giving up, on our part, the whole of the eleventh article, proposing to the court of France the rescinding, on their part, of the whole of the twelfth article, those two being intended as reciprocal balances to each other.

It is exceedingly disagreeable to Congress to find there has been misconduct in any of the commanders of armed vessels under the American flag. Every authentic information of that kind will be strictly attended to, and every means be taken to punish the offenders and make reparation to the sufferers. The chief consolation we find in this unpleasing business is, that the most experienced states have not been able to restrain the vices and irregularities of individuals altogether. Congress has published a proclamation for the more effectually suppressing and punishing such malpractices. But we are rather inclined to hope that, as the line of connection and friendship is now clearly marked, and the minds of the seamen thereby relieved from that inexplicable mystery respecting their real prizes which before embarrassed them, such irregularities will be less frequent, or totally cease; to which end the magnificent generosity of the king of France to the owners of the prizes which, for reasons of state, had been given up, will happily contribute.

We are, gentlemen, your very humble servants,

R. H. LEE,
JAMES LOVELL.

R. H. Lee et al, Committee of Foreign Affairs, to Ralph Izard.*

YORK, May 14, 1778.

SIR: Your favor of December the 18th came to hand the 2d of this month, with the dispatches of our commissioners at the court of Versailles, from whom we had received nothing regularly for about a whole year.

The decisive part which his most Christian majesty has at length taken in our cause must greatly influence other crowned heads in Europe, not immediately allied to Britain, to desire a portion in our friendship and commerce, and must prepare the way for your welcome reception at the court of Tuscany. We are pleased to find that you have formed a connection with one who promises to be so friendly to your commission as your correspondent, the favorite minister of the grand duke, and we think you could not have done better than in following his past advice.

The enclosed resolve of Congress, of the 7th instant, will remove any doubts about your support which may have arisen in your mind from an omission on our part, which did not occur to us until we received a hint of it from the gentlemen at Paris, in their letter of February the 16th.

Other papers herewith sent will convey to you a general idea of our affairs; and we hope you will be particularly industrious to expose those attempts of our enemies, which are calculated to lead Europe to think we are not thoroughly fixed in our plan of independence. You may observe that we proceeded on the drafts only of two intended bills which had been sent to America by the British ministry. We should not have done this, but from a conviction of insidious intentions founded upon former attempts to hurt our character abroad. We were so well satisfied of the spirit of these States to persevere in a noble cause, that we should have waited for the bills themselves, if we had not been anxiously attentive to the good opinion of Europe and the rest of the world. We were altogether strangers to the happy state of our affairs in France, accident and knavery having suppressed the dispatches of our friends, as our former letters will prove, if any attempt should be made to attribute our late determined conduct to a knowledge of our new alliance. Congress unanimously ratified the treaties on the 4th, and the people have showed their satisfaction wherever the knowledge of the proceeding has reached. The army, also, which is daily increasing in strength, has expressed its joy, and is now prepared either for honorable peace or a continuation of the just war.

We shall endeavor to procure an enlargement of your powers, and shall immediately forward them to you. There can be no danger of any clashing of future treaties with those now made, provided the plain principles of mutual benefit, without any exclusive privileges, are made

* 1 Sparks' Dip. Rev. Corr., 670.

the basis. We send you the first volume of the journals of Congress; another will be out in a few days, and shall be forwarded also. We recommend to you the frequent communication of your proceedings, and we wish you every felicity, being, sir, your affectionate humble servants,

R. H. LEE,
JAMES LOVELL,
ROBERT MORRIS.

P. S.—You are to have plenipotentiary commissions, with instructions not limiting the terms of the proposed treaties of amity and commerce.

R. H. Lee et al., Committee of Foreign Affairs, to A. Lee. *

YORK, May 14, 1778.

SIR: Your several favors of October 6, November 27, and December 8 were delivered to us on the 2d instant, the dispatches by Mr. Deane and those by Captain Young arriving on the same day. We had before received your short letter of the 1st of June, but are yet without that of the 29th of July, in which you had informed us “at large of your proceedings in Prussia.” Its contents would have proved highly agreeable to us in those months when we were quite uninformed of the proceedings and prospects of your colleagues at Paris. Impressed with a sense of the value of the King of Prussia’s “warmest wishes for our success,” we give assurances of equal wishes in Congress for that monarch’s prosperity. We have little doubt of open testimonies of his majesty’s friendship in consequence of the late decision of the King of France.

Your information in regard to our connection with the fictitious house of Roderique Hortalez & Co. is more explicit than any we had before received; but we further expect that all mystery should be removed. Surely there can not now be occasion for any, if there ever was for half of the past. Our commercial transactions will very speedily be put under the direction of a board, consisting of persons not members of Congress, it being impracticable for the same men to conduct the deliberative and executive business of the Continent now in its great increase. It has been next to impossible to make remittances for many months from the staple Colonies, their coasts having been constantly infested by numerous and strong cruisers of the enemy. We hope the alliance of maritime powers with us will remove our embarrassments, and give us opportunity to carry into effect our hearty wishes to maintain the fairest commercial reputation.

There will be great impropriety in our making a different settlement for the supplies received from Spain from that which we make in re-

* 1 Sparks' Dip. Rev. Corr., 494.

gard to those received from France. We are greatly obliged to the friends who have exerted themselves for our relief, and we wish you to signify our gratitude upon every proper opportunity. But having promised to make remittances to the house of Hortalez & Co. for the prime cost, charges, interest, and usual mercantile commission upon whatever is justly due to that house, we must keep the same line with Messrs. Gardoqui. On the one hand, we would not willingly give disgust by slighting princely generosity, nor on the other submit to unnecessary obligations.

The unanimity with which Congress has ratified the treaties with France, and the general glad acceptance of the alliance by the people of these States, must shock Great Britain, who seems to have thought no cruelty from her would destroy our former great partiality in her favor. What plan she will adopt in consequence of her disappointment time only can discover. But we shall aim to be in a posture either to negotiate honorable peace, or continue this just war.

We stand in need of the advice and assistance of all our friends in the matter of finance, as the quantity of our paper currency necessarily emitted has produced a depreciation which will be ruinous if not speedily checked. We have encouraging accounts of the temper of the Hollanders of late, and expect that we may find relief from that quarter among others.

A few weeks, if not a few days, must produce fruitful subject for another letter, when we shall, in our line of duty, renew our assurances of being, with great regard, sir, your affectionate, humble servants,

RICHARD H. LEE.

JAMES LOVELL.

ROBERT MORRIS.

R. H. Lee et al., Committee of Foreign Affairs, to William Lee.*

YORK, May 14, 1778.

SIR: Your favors of November 24, and December 18, reached us only the 2d of this month, with the letters of our other friends at Paris, from whom we had not received a regular packet for eleven months. You will readily conceive how much we have wished to hear from you, and how very agreeable your information would have been at an earlier period. It is evident that you were yourself in a degree of doubt as to the conduct of France, even after the conference of our commissioners in December; you will, therefore, be naturally led to give us due credit for the resolute manner in which we proceeded upon the two drafts of bills which the British ministry had hurried over to America. Be assured we were unacquainted with the spirit of the French court. The decisive part it has taken was really unexpected, judging from the accounts we had collected from travelers. The dates of the

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 601, with verbal changes.

papers herewith sent will enable you to put this matter in a clear point of view.

The turn of affairs in Europe will make it needless for us to attempt the finesse of recruiting in Germany, which you hint at, and which would have a good effect in case of necessity. [Arthur] Lee's letters make it quite probable that your commission will prove successful at Berlin, and there appears the best agreement between the King of Prussia and the Emperor.

The enclosed resolve of Congress, of the 7th instant, will show their intentions with regard to your support, which was not properly attended to when your commission was made out.*

Other papers herewith sent will give you a general idea of our situation. You may be assured that independence is firmly adopted by the States, and the unanimity of Congress is truly emblematic of all America. Nova Scotia has long ago expressed its wishes to be adopted by us, and now afresh solicits. Canada will be greatly affected by the news of our alliance with its former parent State. In short, sir, everything which could be added to our own determination of being free and independent is insured by this éclaircissement of the court of Versailles. Our army is growing daily, so that if we are to negotiate with Britain, we shall do it in a proper posture. There are some reports of her drawing away her troops, that she may with a proper grace enter into parley. But this must be done without disguise, or no treaty can be held; for surely no one can suppose that we shall now give up a point which we had made a preliminary before we knew what powerful friendship was secured to us in Europe.

The powers which had been given to our commissioners in France, and our great anxiety to keep perfect faith in treaties, induced a caution with regard to the powers given in after appointments which is now become unnecessary. Perfect equality being the basis of our present treaties, without any exclusive privileges to France, there can be no chance of discontent from the conclusion of similar treaties with other powers of Europe; therefore, we shall doubtless soon forward to you more full powers than were sent with your commission. As you seem to think it may be advantageous to have a cipher for correspondence, we would propose the same which has been mentioned to Dr. Franklin,

MAY 7th, 1778.

* *Resolved*, That the commissioners appointed for the Courts of Spain, Tuscany, Vienna, and Berlin should live in such style and manner at their respective courts as they may find suitable and necessary to support the dignity of their public character, keeping an account of their expenses, which shall be reimbursed by the Congress of the United States of America;

That, besides the actual expenses of the commissioners, a handsome allowance be made to each of them as a compensation for their services;

That the commissioners of the other courts in Europe be empowered to draw bills of exchange from time to time for the amount of their expenses upon the commissioners at the court of France. SPARKS.

formerly, by Mr. Lovell, and this is the rather chosen because it may serve between the doctor and you, or any number of your friends, taking a different key-word for each.

We are, with great regard, etc.,

R. H. LEE,
JAMES LOVELL,
ROBERT MORRIS.

P. S.—You are to have a plenipotentiary commission, with instructions not limiting the term of the proposed treaties of amity and commerce.

Morris, R. H. Lee, and Lovell to M. Dumas.*

YORKTOWN, May 14, 1778.

SIR: Your several favors, down to the letter Y, had come to our hand before the 2d instant, on which day we received dispatches from our commissioners in France, after an interruption of eleven months. Judge, therefore, sir, how very agreeable your letters must have been to us, though you wrote but briefly, always supposing that we received more full accounts of European politics from our friends at Paris.

We observe with great pleasure that the states of Holland are discovering a proper spirit in the conduct of their commerce, by granting convoys, in consequence of the insolent behavior of their British neighbors. The magnanimous conduct of his most Christian majesty must have great influence upon all around him. We doubt not of your hearty congratulations upon the success of our cause, which you so early and warmly espoused, and which you have aided with such judgment and resolution by your pen. We shall write particularly to the gentlemen at Paris respecting the injuries you have received from our enemies, and shall instruct them to pay the strictest attention to our engagements made to you at the commencement of our correspondence.

We must refer you to the prints now sent and to our commissioners for the general state of our affairs, only remarking here, that we were actuated in our proceedings on the 22d of April entirely by the uniform spirit which we have maintained ever since the 4th of July, 1776, being not then acquainted with the favorable state of our cause in France, as an uncommon fatality had attended the letters of our friends for nearly a whole year before the arrival of their present important packet.

We are, with much esteem, etc.,

ROBERT MORRIS,
RICHARD H. LEE,
JAMES LOVELL.

* MSS, Dep. of State; 1 Sparks' Dip. Rev. Corr., 281.

Morris, R. H. Lee and Lovell, for the Committee of Foreign Affairs, to
Bingham.*

YORK, May 14, 1778.

SIR: At length, on the 2d instant, we received dispatches from our commissioners at Paris, with treaties of alliance and commerce, concluded on the 6th of February, between France and these United States. They were ratified here on the 4th of this month, and the prints here-with sent to you will show the principles upon which they are founded. We are persuaded you will greatly partake of the satisfaction which we feel on this occasion.

We do not find by the letters which we have received that Congress may venture to enlarge the power that was given to you by the resolve of April 16.[†] But it becomes less necessary that you should be furnished in that way, as commerce will in all human probability be more easily carried on between this continent and your islands now than for some time past.

Great hurry of business must be an excuse for our brevity at this time, though it would not warrant an omission of sending you our congratulations and the gazettes.

We are, with much regard, etc.,

ROBERT MORRIS,
RICHARD HENRY LEE,
JAMES LOVELL.

Franklin, Lee, and Adams to Sartine.[‡]

PASSY, May 14, 1778.

SIR: In the several cruises made by Captains Wickes, Johnston, Cunningham, and others of our armed vessels on the coast of Great Britain, it is computed that between four hundred and five hundred prisoners have been made, and set at liberty, either on their landing in France or at sea, because it was understood that we could not keep them confined in France. When Captain Wickes brought in at one time near a hundred, we proposed to Lord Stormont an exchange for as many of ours confined in England, but all treaty on the subject was rudely refused, and our people are still detained there notwithstanding the liberal discharges made of theirs as above mentioned. We hear

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 282.

[†] Resolved, That Mr. William Bingham, agent of the United States of America, now resident in Martinique, be authorized to draw bills of exchange, at double usance, on the commissioners of the United States in Paris, for any sums not exceeding in the whole one hundred thousand livres tournois, to enable him to discharge debts by him contracted on account of the said States; for which drafts he is to be accountable.—*Journals of Congress*.

‡ 1 Sparks' Dip. Rev. Corr., 286.

that Captain Jones has now brought into Brest near two hundred, whom we should be glad to exchange for our seamen, who might be of use in expeditions from hence, but as an opinion prevails that prisoners of a nation with which France is not at war and brought into France by another power can not be retained by the captors, but are free as soon as they arrive, we are apprehensive that these prisoners may also be set at liberty, return to England, and serve to man a frigate against us, while our brave seamen, with a number of our friends of this nation whom we are anxious to set free, continue useless and languishing in their gaols.*

In a treatise of one of your law writers, entitled *Traité des Prises qui se font sur Mer*, printed 1763, we find the above opinion controverted, p. 129, section 30, in the following words: "Hence it seems that it is not true, as some pretend, that from the time a prisoner escapes, or otherwise reaches the shore of a neutral power, he is absolutely free. It is true he can not be retaken without the consent of that power, but such a power would violate the laws of neutrality if it should refuse its consent. This is a consequence of the asylum of the ship in which the prisoner or hostage was contained."

We know not of what authority this writer may be, and therefore pray a moment of your excellency's attention to this matter, requesting your advice upon it, that, if it be possible, some means may be devised to retain these prisoners till as many of ours can be obtained in exchange for them.

We have the honor to be, etc.

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

R. H. Lee and Lovell, for Committee of Foreign Affairs, to the Commissioners
at Paris.†

YORK, May 15, 1778.

GENTLEMEN: Your pressing request for 5,000 hogsheads of tobacco is a matter as embarrassing to Congress as to yourselves. Their anxiety to get it to you is as great as yours to receive it. We have already lost vast quantities in the attempt, and thereby have furnished our enemies gratis with what was designed for the discharging of your contracts, and for promoting the interest and commerce of our friends. We request your particular attention to this information, as it is a matter of as high moment to our allies as well as to ourselves.

* The war righted this. Thus on February 12, 1781, Sir Henry Clinton wrote to Lord Catheart: "Military retaliation can not be. They have 12,000 to our 5,000 prisoners."

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 287.

In the present state of things, it is very probable that England will be unwilling to interrupt the trade of France in their own bottoms; and our desire is, as well for her benefit as ours, that France would open the trade from her own ports, so that the intentional advantages of the treaties may fully operate for both countries. We need not enlarge on this head, as your discernment will furnish you with all the reasons to be alleged in support of what we desire.

In addition to what is mentioned in our letter respecting the eleventh and twelfth articles of the treaty, we observe that the twelfth is capable of an interpretation and misuse which were probably not thought of at the time of constructing it: we mean that it opens a door for all, or a great part, of the trade of America to be carried through the French islands to Europe, and puts all future regulations out of our power, either by impost or prohibition, which, though we might never find it to our interest to use, yet, by keeping it in our power, will enable us to preserve equality with, and regulate the imposts of the countries we trade with.

The general trade of France is not under like restriction, every article on our part being stated against the single article of molasses on theirs; therefore, Congress think it more liberal and consistent that both articles should be expunged.

We have no material military transactions to acquaint you with. The enemy yet remain in Philadelphia, but some late appearances make it probable they will not stay long. Our army is yet at the Valley Forge.* The enemy, through the course of the winter, have carried on a low, pitiful, and disgraceful kind of war against individuals, whom they pushed at by sending out little parties, and revengefully burning several of their houses; yet all this militated against themselves, by raising an unquenchable indignation in the country against them; and on the whole, we know not which most to wonder at, their folly in making us hate them after their inability for conquest and their desires of peace are confessed, or their scandalous barbarity in executing their resentments.

You will see, gentlemen, by the contract which the commercial committee have signed with the agent of M. Beaumarchais, that Congress was desirous of keeping a middle course, so as not to appear to slight any determined generosity of the French court, and, at the same time, to show a promptness to discharge honorably the debts which may be justly charged against these States by any persons. We depend upon you to explain the affair fully, as you seem to make a distinction between the military stores and the other invoices, while no such distinction appears in the letters of Mr. Deane or M. Beaumarchais. In short, we are rather more undetermined by your late dispatches than we were during your long silence. Congress being at this time deeply engaged in a variety of business, and the foreign committee thin of members,

you will be pleased to excuse us from being more particular in our answer to your several dispatches, as well as in our information of the state of our affairs.

We are, gentlemen, etc.,

R. H. LEE.

JAMES LOVELL.

P. S.—You will see what we have written to M. Dumas, and you will point out what will be our line of honor to him and justice to these States.

Vergennes to the Commissioners at Paris.*

[Translation.]

VERSAILLES, May 15, 1778.

GENTLEMEN: I have the honor to send you the copy of a letter written to M. de Sartine by the French consul at Madeira.† You will see therein all the circumstances of the conduct of an American privateer, Capt. John Warren, towards a French snow or brigantine, Capt. Rochel, which he captured very near the land and in sight of the town of Madeira. Such reprehensible proceedings can not remain unpunished, and I make no doubt, gentlemen, that you will take the most efficacious

* MSS. Dep. of State.

† Ruelliere to Sartine. Madeira, February 15, 1778.

[Translation.]—I have the honor to inform you that on the 4th instant a French snow or brigantine, which is supposed to be the *Prudent*, Captain Rochel, of about 150 tons, coming from London with a load of pipe, staves, and some flour, for this island, was met, visited, and taken very near the land and within sight of this town by an American privateer, which, it is said, belongs to Boston, and is called the *Lion*, Capt. John Warren, and was sent to Boston under pretense that the cargo belonged to the English.

The circumstances accompanying this capture not only render the action of this privateer extremely blamable, but mark her rather as a pirate than an armed vessel authorized by any government, agreeable to the deposition of a Portuguese fisherman, whom the said vessel had taken to conduct her into this road. The said privateer boarded this vessel as a prize, taking immediate possession and illtreating the crew, and after having sent them with violence on board the privateer, and taken and secured all the papers which might prove the property of the vessel and to what nation it belonged, he put on board an American crew, with whom it was sent to America, naturally for the purpose of selling the cargo there, and perhaps the vessel, with the ventures of the captain and French crew, and whatever might belong to the merchants of nations in neutrality with the insurgents in some of our American islands where the said cargo of staves and pipe shakers would sell very well, whereas they would be of little consequence if they were sold in the English Colonies of the insurgents, which abound in such merchandise.

I take the first opportunity, sir, to inform you of this affair, persuaded that on reflection of its importance you will vouchsafe to take the necessary measure to cause the restitution of such an irregular capture, that the privateer receive the reward of its crime, and to prevent in future similar outrages so prejudicial to our navigation and commerce, and so opposite to the safety and respect which all nations observe towards our flag in the present circumstances.

steps with Congress, not only that Capt. John Warren meet with the punishment his conduct deserves, but likewise to procure for the French vessel the satisfaction and recompense which are due. I rely in this matter on the necessity which you are sensible is necessary to suppress such excesses, the consequences of which can not be less apparent to Congress than to us.

I have the honor to be, etc.,

DE VERGENNES.

Franklin, Lee, and Adams to Vergennes.*

PASSY, May 16, 1778.

SIR: We had this morning the honor of receiving your excellency's letter of the 13th instant, relative to the Boston frigate. We beg leave to assure your excellency that the frigate called the *Boston*, now at Bordeaux, is a ship of war belonging to the thirteen United States of North America, built and maintained at their expense by the honorable Congress. We therefore humbly presume that his majesty's royal determination, on the representation of the Farmers General, will be according to the usage of nations in such cases, and your excellency may be assured that Captain Tuckr will conform to that determination with the utmost respect.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin, Lee, and Adams to Sartine.†

PASSY, May 16, 1778.

SIR: Messrs. Basmarine, Rainbeau & Co., having represented to us that they have applied to government for a frigate, to be employed in defense of their commerce to and from America, and in making reprisals for the losses they have lately sustained by our enemies, we, the commissioners of the United States of North America, hereby request that such a frigate may be granted; and in that case we are ready to give a commission and letter of marque to such frigate upon Messrs. Basmarine & Co. giving bonds to us for the regular behavior of such frigate, according to the law of nations and the usage of the United States.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

* 1 Sparks' Dip. Rev. Corr. 288.

† Ibid., 289.

Izard to Lee.*

PARIS, May 18, 1778.

DEAR SIR: The fifth article of the treaty of alliance has given me a great deal of uneasiness, as it seems to have been intended to exclude the United States of America from possessing themselves of the two Floridas. The article is as follows: "If the United States should think fit to attempt the reduction of the British power remaining in the *northern parts of America*, or the islands of Bermudas, those countries or islands, in case of success, shall be confederated with or dependent upon the said United States." I had the honor of stating my apprehensions to you and the other commissioners at Passy on the 3d instant.

Dr. Franklin did not think they were well founded, nor that any such construction could possibly be put upon the article. North America, he said, strictly speaking, comprised all parts of the continent north of the equator, and the Floridas, being in the latitude of 30 degrees north, would be comprehended within the meaning of the words "*northern parts of America*." I thought it would be best to put it out of all doubt, by getting that explanation of the words under the hands of the French ministry, especially as they would at least admit of dispute, and might in future produce disagreeable consequences. Dr. Franklin said that Congress had given some instructions respecting the cession of part of Florida to Spain, and objected to making any application on the subject to the French ministry, as it might be taken ill, and added if my apprehensions were ever so just, it was too late for any remedy in France, but that the commissioner for the court of Madrid might guard against any bad consequences in the treaty which he had to conclude with that court.

The resolution of Congress of the 30th of December, 1776, to which Dr. Franklin alluded, extends only to the town and harbor of Pensacola, and circumstances are much changed in America since that resolution was made. It declares "that if his catholic majesty will join with the United States in a war against Great Britain, they will assist in reducing to the possession of Spain the town and harbor of Pensacola." Had Spain complied with the request, had she stood forth our friend in the day of distress, the offer made by Congress might with propriety have been claimed. She did not declare war against Great Britain, and I do not know that she has done anything yet to entitle her to any great share of our gratitude. It appeared to me that if the French ministry understood the words as explained by Dr. Franklin, they could not take it ill that such an explanation should be required of them; but if they intended to have them understood as I feared they did, this was the proper place to have the doubts cleared up. If the words were meant to exclude the United States of America from the acquisition of the Floridas, it must have been intended for the benefit of Spain, and therefore the less likely was it to obtain any satisfaction from that quarter.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 671, with verbal changes.

North America, strictly speaking, according to Dr. Franklin, comprises all parts of the continent north of the equator. By the same rule it may be said to extend to the 90th degree of latitude. Considered in this point of view, no parts to the southward of 45 degrees can, with propriety, be called the northern parts of America. But the article seems to have no relation to so extensive a signification, and expresses the intentions of the framers of it very distinctly: "If the United States should think fit to attempt the reduction of," not the northern parts of America, but "the British power remaining in the northern parts of America." This power, without taking notice of an inconsiderable settlement on the Mosquito shore, or of Hudson's Bay, may be said to have extended from the most southern point of Florida to the most northern part of Canada; and I am of opinion that the United States of America will not be satisfied if any attempts are made to circumscribe their possessions within narrower limits.

The eighth article of the original treaty approved of by Congress in September, 1776, and transmitted by them to the commissioners at this court, not only confirms me in this opinion, but throws great light upon the intentions of the French ministry. It is as follows: "The most Christian king shall never invade, nor under any pretense attempt to possess himself of, Labrador, New Britain, Nova Scotia, Acadia, Florida, nor any of the countries, cities, or towns on the continent of North America; nor of any of the islands of Newfoundland, Cape Breton, St. Johns, Anticosti, nor any other island lying near to the said continent in the seas, or in any gulf, bay, or river, it being the true intent and meaning of this treaty that the said United States shall have the sole, exclusive, undivided, and perpetual possession of all the countries, cities, and towns on said continent, and of all islands near to it which now are, or lately were, under the jurisdiction of, or subject to, the king or crown of Great Britain, whenever they shall be united or confederated with the said United States." These words admit of no mistake; no hidden meaning is concealed under them, nor could there be any possibility of contentions respecting the countries therein described had they been inserted in the treaty.

With all due deference to Dr. Franklin, I can not help declaring that I am firmly persuaded that the court of France would not have substituted the eighth article in the place of the above if they had not had some designs contrary to the intentions of Congress, so clearly expressed in their ninth article. His most Christian majesty, in the eleventh article of the treaty of alliance, does not guaranty generally to the United States their possessions, and the additions or conquests that their confederation may obtain during the war from any of the dominions now, or heretofore, possessed by Great Britain in North America, but stipulates that the guaranty shall only be conformable to the fifth and sixth articles. The latter of these contains nothing but a renunciation, on the part of France, of the islands of the Bermudas, and of

the whole continent of North America. As France does not pretend to any claim upon the Floridas, this renunciation can, in no respect, affect those provinces. Spain, who was at the peace in 1763 obliged to cede them to Great Britain, may be desirous of resuming them, and the fifth article in the treaty of alliance seems to lay the foundation of such a claim. Should that event ever take place it would prove extremely prejudicial to the interests of the United States in general, but particularly to those of the South. Spain would, by that means, have a direct communication with the Indians on our frontier, and have it in her power to disturb our settlements whenever she pleased.

Lieutenant Governor Moultrie, in his letter from Augustine, of the 4th of October, 1775, to General Grant, which was intercepted and published by Congress, among other reasons why General Gage should protect Florida gives the following: "Consider," says he, "that this is the best and only immediate communication between Great Britain and our red brothers," the Indians. What a horrid use our enemies have made of this communication you are well acquainted with. Florida was never of any advantage to Spain when in her possession, nor is it probable it ever would be were it so again, but it will be of the greatest importance to the States of America, on account of security, which in all negotiations has been thought a sufficient reason for a claim, though no right existed, which is not the case in the present instance. In the eleventh article France guarantees to the United States "their possessions and the additions or conquests that their confederation may obtain during the war from any of the dominions now or heretofore possessed by Great Britain in North America, conformable to the fifth and sixth articles." In the sixth article I observe that "the most Christian king renounces forever the possession of the islands of Bermudas, as well as of any part of the continent of North America." Nothing is said about Newfoundland, St. Johns, Cape Breton, and the other islands on our coasts. Were they understood to be included in the renunciation and guaranty? Congress, in their original treaty, did not choose to trust to any future constructions, but mentioned each of these islands particularly by name. Whatever power may be in possession of them will in a great measure command the fishery.

This is a matter of great consequence, but, however just my apprehensions may be on this point also, I fear it is now too late to receive any satisfactory explanation respecting it at this court, and we must again turn our eyes towards you for relief. If the court of Madrid could be prevailed upon to guaranty the Floridas and these islands also to the United States, you would render an essential service to your country. I have upon many occasions experienced that whenever her welfare has stood in need of your exertions you have been ready to afford them, and, therefore, I can not doubt but you will also do it in the business which I have just laid before you.

I have the honor to be, etc.,

RALPH IZARD.

Franklin and Adams to the governor or any counsellor or senator or member of any house of representatives in any of the thirteen United States of America.*

PARIS, May 18, 1778.

GENTLEMEN: Certain intelligence having been received that eleven British ships of war (one of 90 guns, nine of 74, and one of 64 guns) are in the road of St. Helen's, near Portsmouth, bound for North America, and the United States being in alliance with France, you are requested as speedily as possible to convey this information to the commander of any French fleet or ships of war in America by sending them this letter, and also to publish the contents of it in all the continental newspapers.

We have the honor to be, etc.,

BENJ'N FRANKLIN.
JOHN ADAMS.

Franklin, Lee, and Adams to the President of Congress.*

PASSY, May 19, 1778.

SIR: We have the honor to enclose a copy of a letter received from Monsieur le Count de Vergennes, secretary of state for foreign affairs, with a copy of a letter enclosed for the consideration of Congress, not doubting that Congress will give it all the attention that an affair of such importance demands.

We have the honor to be, etc.,

BENJ'N FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin, Lee, and Adams to Vergennes.*

PASSY, May 19, 1778.

SIR: We have had the honor of your excellency's letter of the 15th instant, enclosing a copy of a letter from M. de la Ruelliere, consul at Madeira, of 15th of March, 1778.

We have enclosed to Congress a copy of your excellency's letter, with a copy of its enclosures, and have recommended to Congress the earliest attention to the subject, and have no doubt that justice will be speedily done.

We have the honor to be, etc.,

BENJ'N FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

*MSS. Dep. of State.

A. Lee to Committee of Correspondence.*

PARIS, May 20, 1778.

GENTLEMEN: Upon receiving your letters, by our colleague, Mr. J. Adams, I lost no moment to press for supplies, such as you mention as most wanting (blankets, shoes, and stockings) in my particular department. In consequence I have the pleasure to inform you that orders are given and are now executing for furnishing you, as before, which will be done from time to time as opportunities offer. I will direct medicines and such naval stores as they can collect to be added. I shall send you the accounts of their being shipped, from time to time as they are remitted to me, to prevent mistakes or impositions.

For want of this accuracy the public seems to me a little too much at the mercy of Mr. John Ross and Mr. Jonathan Williams. The former has had upwards of 400,000 francs and the other more than a million of the public money. They tell us, in general, that they have shipped goods on the public account; but the particulars the former has refused to give, and the latter has hitherto evaded it on various pretenses. By this means, should the vessels arrive safe, they can claim what proportion they please as shipped on their own account; if they are lost, then the whole may be charged to the public.

I have seen with infinite concern the public money expended without economy and without account. My colleagues excluded me from knowing or advising about the manner in which it was expended. They have encouraged our agents to treat me with disrespect, so that my interposition might be useless. A thousand times have I desired that the public accounts might from time to time be made up, to which I have as constantly received evasive or affrontive answers; so that now Mr. Adams and myself find that, after the expenditure of more than 5,000,000 livres, we are involved in confusion and debt, the principal articles furnished being unpaid for and demands made to the amount of many millions; that is, including the cargoes of the *Amphitrite*, *Seine*, and *Flammand*, for which a demand has been made, and which constitute the principal part of the supplies which have been furnished. Having been thus excluded by my colleagues from the management of the public business, I hope I shall not be deemed responsible for the conduct of it. Congress will see that in acting without me they have pursued the letter, not the spirit, of our commission. When the enclosed contract with Mr. Mortieu is compared with the contract I had put it in their power to make, the reason will appear why they concealed it from me and acted without my concurrence. Mr. Williams, at the same time, had the furnishing sixteen thousand suits, which I suppose will be upon as advantageous terms. Upon inquiry I find that as good uniforms as can be worn may be contracted for in France for thirty-two

* 2 A. Lee's Life, 49.

frances, and in Germany for thirty-seven. Those which were offered us from thence were of coarser cloth.

With great respect, etc.,

ARTHUR LEE.*

John Adams to Samuel Adams.[†]

PASSY, May 21, 1778.

DEAR SIR: I have never yet paid my respects to you since my arrival in Europe, for which seeming neglect of duty the total novelty of the scenes about me and the incessant avocations of business and ceremony and pleasure (for this last I find in Europe makes an essential part of both the other two), must plead my excuse.

The situation of the general affairs of Europe is still critical and of dubious tendency. It is still uncertain whether there will be war between the Turks and the Russians, between the Emperor and the King of Prussia, and indeed between England and France, in the opinion of many people. My own conjecture, however, is that a war will commence and that soon.

Before this reaches you you will be informed that a strong squadron of thirteen capital ships and several frigates has sailed from Toulon, and that another squadron is ordered to sail from Spithead. Whatever I may have heard of the destination of the first, I am not at liberty to mention it. We have no intelligence that the latter has sailed.

Chatham the Great is no more, but there is so much of his wild spirit in his last speech yet left in the nation, that I have no doubt but the administration will put all to the hazard.

We are happy to hear by the frigate *La Sensible*, which has returned to Brest, that the treaty arrived safe at Casco Bay. We hope to have the earliest intelligence of the ratification of it. The commissioners from England of the 22d of April will meet, as we suppose, with nothing but ridicule. The King of Prussia is yet upon the reserve concerning America, or rather forgetting his promise, has determined not to acknowledge our independence at present. His reason is obvious, he wants the aid of those very German princes who are most subservient to Great Britain, who have furnished her with troops to carry on the war against us, and therefore he does not choose to offend them by an alliance with us at present. Spain is on the reserve too, but there is not the least doubt entertained here of her intention to support America. In Holland there is more friendship for us than I was aware of before I came here; at least they will take no part against us.

Our affairs in this kingdom I find in a state of confusion and dark-

* It does not appear from the records of the Department that this dispatch was ever received.

[†]2 Sparks' Dip. Rev. Corr., 539.

ness that surprises me. Prodigious sums of money have been expended and large sums are yet due, but there are no books of account nor any documents from whence I have been able to learn what the United States have received as an equivalent.

There is one subject which lies heavily on my mind, and that is the expense of the commissioners. You have three commissioners at this court, each of whom lives at an expense of at least £3,000 sterling a year; I fear at a greater expense. Few men in the world are capable of living at a less expense than I am, but I find the other gentlemen have expended from three to four thousand a year each, and one of them from five to six; and by all the inquiries I have been able to make I can not find any article of expense which can be retrenched.*

The truth is, in my humble opinion, our system is wrong in many particulars:

(1) In having three commissioners at this court: one in the character of envoy is enough. At present, each of the three is considered in the

* In another letter, which Mr. Adams afterwards wrote to Mr. Samuel Adams, he says the account of the commissioners' expenses here given is "exaggerated," and "put much too high," owing to his having been but a short time in Paris, and not being accurately informed on the subject. See this letter hereafter, dated February 14, 1779, in the present volume.

By a letter from Mr. Arthur Lee, dated May 9, 1778, containing a transcript from the banker's book, it appears that from December, 1776, to March, 1778, a period of fifteen months, Silas Deane received on his private account \$20,926; Arthur Lee, \$12,749, and Dr. Franklin, \$12,214. See Arthur Lee's correspondence where the above sums are stated in livres, and they are here reduced to dollars by the rule practised at that time of allowing 5 livres and 8 sols to the dollar. The fractions are omitted in the reduction. It must be observed that the above payments are not a specification of the amounts actually received for the period in question, because the commissioners may have had other expenses for which they afterwards drew on the banker, but these sums may serve as a tolerably correct indication of their expenses, and were probably intended as such by Mr. Lee. At this time no fixed salary was allowed; but Congress resolved that all expenses should be paid, and that such an additional compensation should be granted as might afterwards be deemed expedient by Congress.

On the 1st of June, 1774, Mr. Lee wrote to Congress: "I am of opinion, with my colleague, Mr. Adams, that it would be better for the public that the appointment of your public ministers were fixed, instead of being left at large and their expenses indefinite. From experience, I find the expense of living in that character can not well be less than £3,000 sterling a year, (\$13,333,) which I believe is as little as is allowed to any public minister beyond the rank of consul." (A. Lee to Committee of Foreign Affairs, June 1, 1778, *supra*; 1 Sparks' Dip. Rev. Corr., 499.)

The original mode of paying ministers abroad continued, however, till October 4, 1779, when Congress

"Resolved, That each of the ministers plenipotentiary be allowed at the rate of £2,500 sterling (\$11,111) per annum; and each of their secretaries at the rate of £1,000 sterling (\$4,444) per annum, in full for their services and expenses respectively."

"That the salary of each of the said officers be computed from the time of leaving his place of abode to enter on the duties of his office, and be continued three months after the notice of his recall." (Secret journals, vol. 2, p. 272.)

The salaries continued fixed at the above sums during the remainder of the Revolution, and till May 7, 1784, when the salary of the ministers was reduced to \$0,000, and that of the secretaries to \$3,000 per annum.—SPARKS.

character of a public minister plenipotentiary, which lays him under an absolute necessity of living up to this character; whereas one alone would be obliged to incur no greater expense, and would be quite sufficient for all the business of a public minister.

(2) In leaving the salaries of these ministers at an uncertainty you will never be able to obtain a satisfactory account of the public moneys while this system continues; it is a temptation to live at too great an expense, and gentlemen will feel an aversion to demanding vigorous account.

(3) In blending the business of a public minister with that of a commercial agent. The business of various departments is by this means so blended, and the public and private expenses so confounded with each other, that I am sure no satisfaction can ever be given to the public of the disposition of their interests; and I am very confident that jealousies and suspicions will hereafter arise against the characters of gentlemen who may, perhaps, have acted with perfect integrity and the fairest intentions for the public good.

My idea is this: Separate the offices of public ministers from those of commercial agents;* recall, or send to some other court, all the public ministers but one at this court; determine with precision the sum that shall be allowed to the remaining one for his expenses, for his salary, and for his time, risk, trouble, etc.; and when this is done, see that he receives no more than his allowance. The inconveniences arising from the multiplicity of ministers and the complication of business are infinite.

Remember me with the most tender affection to my worthy colleagues, and to all others to whom you know they are due.

I am, your friend and servant,

JOHN ADAMS.

A. Lee to the Committee of Foreign Affairs.[†]

PARIS, May 23, 1778.

GENTLEMEN: In consequence of your dispatches by my colleague, Mr. Adams, I lost no moment to press the renewal of the order for the supplying you with such stores as you want and as that country affords from the court of Spain. I have the satisfaction to inform you that such orders are given, and I am assured will be carried into execution as speedily as possible.

* Dr. Franklin expresses this opinion very strongly on several occasions; and after he was appointed minister plenipotentiary, with the duties of commercial agent attached to his office, he repeatedly solicited Congress to separate these duties, and to leave him in charge only of those branches of the business which pertained to him in the character of minister. (2 Sparks' Dip. Rev. Corr., pp. 66, 79, 86, 95.)

[†] 2 A. Lee's Life, 51; 1 Sparks' Dip. Rev. Corr., 496.

We mean to apply for the loan desired to the moneyed men of Holland, and in my particular department I shall endeavor to take the favorable opportunity of the arrival of the flotilla to urge the same in Spain.

War is not begun in Germany or Great Britain; but it seems to be inevitable.

I have sent orders to all the ports in France and Spain to communicate the account of the sailing of a fleet of thirteen ships from England against America to all the captains who sail for the United States or the French islands. This I conceived would be the most certain means of communicating the alarm and preventing surprise.

The ministry here are also to convey a letter from us by every opportunity to the same purpose.

I have the honor to be, etc.,

ARTHUR LEE.

A. Lee to Izard.*

CHAILLOT, May 23, 1778.

DEAR SIR: I have received your favor of the 18th, and remember well the conversation you mention. The fifth article stood originally thus: "Si les États-Unis jugent à propos de tenter la conquête de la Canada, de la Nouvelle-Écosse, de Terrenueve St.-Jean, et des Bermudes, ces conquêtes en cas de succès appartiendront aux dits États-Unis." Even this did not appear to me adequate to the intentions of Congress; I therefore proposed that it should be as extensive and explicit as was marked out to us in the eighth article of the plan proposed by Congress. My colleagues did not agree with me, and I remember perfectly Dr. Franklin's answer was that Congress had receded from those claims since by the concessions directed to be made to Spain. I submitted mine to the opinion of my colleagues.

I have already asked the commands of Congress relative to conceding anything to Spain agreeably to the instruction of the 30th of December, 1776, which you mention, and you may be assured that I will never subscribe the cession of one inch of what Congress has claimed in the eighth article of their plan without their express orders. I shall make no observations respecting the degree of gratitude to which Spain may be entitled, but the leaving of articles so loose as to occasion disputes, or making cessions which may plant a thorn in the side of any of the United States, is not the manner I should choose of showing it. How the fifth article came changed so much from what it was at first I never could learn. In my own justification I must observe that from the conduct of one of my colleagues and the intrigues of the other I was furnished with a kind of half information, and secretly counteracted,

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 675, with verbal changes.

so as to render it very difficult for me to be of any utility whatever in this negotiation.

I have the honor to be, etc.,

ARTHUR LEE.

Adams to the Commercial Committee.*

PASSY, May 24, 1778.

GENTLEMEN: I find that the American affairs on this side of the Atlantic are in a state of disorder very much resembling that which is so much to be regretted on the other, and arising, as I suppose, from the same general causes, the novelty of the scenes, the inexperience of the actors, and the rapidity with which great events have succeeded each other. Our resources are very inadequate to the demands made upon us, which are perhaps unnecessarily increased by several irregularities of proceeding.

We have in some places two or three persons who claim the character of American agents, agent for commercial affairs, and continental agent, for they are called by all these different appellations. In one quarter one gentleman claims the character from the appointment of Mr. William Lee, another claims it from the appointment of the commissioners at Passy, and a third from the appointment of the commercial committee of Congress. This introduces a triple expense and much confusion and delay. These evils have been accidental, I believe, and unavoidable, but they are evils still and ought to be removed.

One person at Bordeaux, another at Nantes, and a third perhaps at Havre de Grace or Dunkirk, would be amply sufficient for all public purposes; and to these persons all orders from Congress, or the commercial committee, or the commissioners at Paris ought to be addressed. To the same persons all public ships of war, and all other ships belonging to the United States and their prizes, ought to be addressed; and all orders for the supplies of provisions, clothing, repairs of vessels, etc., as well as all orders for shipping of merchandises or warlike stores for the United States, ought to go through their hands. We have such abuses and irregularities every day occurring as are very alarming. Agents of various sorts are drawing bills upon us, and the commanders of vessels of war are drawing upon us for expenses and supplies which we never ordered, so that our resources will soon fail if a speedy stop is not put to this career.

And we find it so difficult to obtain accounts from agents of the expenditure of moneys, and of the goods and merchandises shipped by them, that we can never know the true state of our finances, or when and in what degree we have executed the orders of Congress for sending them arms, clothes, medicines, or other things.

* 2 Sparks' Dip. Rev. Corr., 542; 7 John Adams' Works, 14.

In order to correct some of the abuses, and to bring our affairs into a little better order, I have constantly given my voice against paying for things we never ordered, against paying persons who have never been authorized, and against throwing our affairs into a multiplicity of hands in the same place. But the consequence has been so many refusals of demands and requests, that I expect much discontent will arise from it and many clamors. Whether the appointment by Congress of one or more consuls for this kingdom would remedy those inconveniences I must submit to their wisdom.

I have the honor to be, etc.,

JOHN ADAMS.

Franklin, Lee, and Adams to Williams.*

PASSY, May 25, 1778.

SIR : Your favors of May 11 and 18 are now before us. We shall this day acquaint Captain Jones how far it is in our power to comply with his desires, and in what manner. Your letter of the 18th informs us of a dispute between Mr. Schweighauser and you concerning the disposal of the *Ranger's* prizes; and you are still of opinion that you have authority to interfere in the disposal of prizes, and that you should be chargeable with neglect of duty if you did not. The necessities of our country demand the utmost frugality, which can never be obtained without the utmost simplicity in the management of her affairs, and as Congress have authorized Mr. W. Lee to superintend the commercial affairs in general, and he has appointed Mr. Schweighauser, and as your authority is under the commissioners at Paris only, we think it prudent and necessary for the public service to revoke, and we do hereby revoke, all the powers and authorities heretofore granted to you by the commissioners plenipotentiary of the United States of America, or any of them, at Paris, to the end that hereafter the management of the affairs, commercial and maritime, of America may be under one sole direction, that of Mr. Schweighauser within his district.

As to the merchandise and stores of every kind which you have on hand at present, we leave it to your choice either to ship them to America yourself or to deliver them over to Mr. Schweighauser to be shipped by him. It is not from any prejudice to you, for whom we have a great respect and esteem, but merely from a desire to save the public money and prevent the clashing of claims and interests, and to avoid confusion and delays, that we have taken this step.

We have further to repeat our earnest request that you would lay your accounts before us as soon as possible, because until we have them we can never know either the state of our finances or how far the

* 1 Sparks' Dip. Rev. Corr., 289.

orders of Congress for stores and merchandise to be shipped to America have been fulfilled.

We are, sir, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin et al Commissioners to John Paul Jones.*

PASSY, May 25, 1778.

SIR: Your favors of May 8 and 16 from Brest we duly received. We congratulate you on your success and safe arrival at Brest, as well as on the honor you have acquired by your conduct and bravery in taking one of the king's ships.

As we have some expectation of obtaining an exchange of prisoners from England, we would advise you to keep those you have made securely confined, though in a manner most consistent with humanity, till we have an answer from thence. For if we can get an equal number of our own seamen to man the *Drake*, she will be an additional strength to you in a future expedition. Whereas sending her with the prisoners to America, will not only weaken you by the hands you must spare to navigate her and to keep the prisoners in subjection, but will also hazard their being retaken. We should have been happy to have been early informed of the particulars of your cruise and of the prizes you have made, of which we have no authentic advice to this hour.

Your bill of exchange in favor of M. Bussole for 24,000 livres, which you inform us you mean to distribute among the brave officers and men to whom you owe your late success, has been presented to us by M. Chaumont. We are sorry to inform you that we have been under the disagreeable necessity of refusing payment, and that for several reasons; first, because your application should have been made to M. Schweighauser, who is the person regularly authorized to act as continental agent at Brest, and we are determined that all American concerns within our department shall go through his hands as long as he shall continue in the character of American agent, or at least until we shall find it necessary to order otherwise. Secondly, because the bill is drawn for an expense which we have no right or authority to defray. We have no authority to make presents of the public money to officers or men, however gallant and deserving, for the purposes of providing their families with clothing, or for any other purpose, nor to advance them money upon the credit of their share of prizes; nor have we authority to advance them any part of their pay or bounties; all these things belong to Congress alone, and must be done by the proper boards in America. Our authority extends no further than to order

the necessary repairs to be made to your ship, to order her to be furnished with necessary victuals, which we are ready to order M. Schweighauser to do as soon as we shall be informed by you what repairs and victuals are wanted, with an estimate of the amount of the expenses.

There is one thing further which we should venture to do for the benefit of your men. Upon a representation from you of the quantity of slops necessary for them, we should order M. Schweighauser to furnish your ship with them; not more, however, than one suit of clothes for each man, that you may take them on board of your ship, and deliver them out to the men as they shall be wanted, charging each man upon the ship's books with what he shall receive, that it may be deducted from his pay.

Lieutenant Simpson has stated to us your having put him under arrest for disobeying orders. As a court martial must, by order of Congress, consist of three captains, three lieutenants, and three captains of marines, and these can not be had here, it is our desire that he may have a passage procured for him by the first opportunity to America, allowing him whatever may be necessary for his defense. As the consequences of an arrest in foreign countries are thus extremely troublesome, they should be well considered before they are made. If you are in possession of any resolution of Congress giving the whole of ships of war, when made prizes, to the captors, we should be obliged to you for a copy of it. We should also be obliged to you for a particular account in whose hands the prizes made by you are, and in what forwardness is the sale of them.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin to Hartley.*

PASSY, May 25, 1778.

DEAR SIR: I am glad to learn by the newspapers that you got safe home, where I hope you found all well.

I wish to know whether your ministers have yet come to a resolution to exchange the prisoners they hold in England, according to the expectations formerly given you. We have here above two hundred, who are confined in the *Drake*, where they must be kept, as we have not the use of prisons on shore, and where they can not be so conveniently accommodated as we could wish. But as the liberal discharge we have given to near five hundred prisoners taken on your coast has wrought no disposition to similar returns, we shall keep these and all we take hereafter till your counsels become more reasonable. We have accounts

* MSS. Dep. of State; 6 Bigelow's Franklin, 178.

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from the mill prison, at Plymouth, that our people are not allowed the use of pen and ink, nor the sight of a newspaper, nor the conversation of friends. Is it true?

Be so good as to mention to me whether the two little bills I gave you on Nesbit and Vaughn are accepted and paid and the sums of each, as I have omitted to make a note of them. Permit me to repeat my thankful acknowledgments for the very humane and kind part you have acted in this affair. If I thought it necessary I would pray God to bless you for it. But I know he will do so without my prayers.

Adieu, and believe, etc.,

B. FRANKLIN.

Franklin to John Paul Jones.*

PASSY, May 27, 1778.

DEAR SIR: I received yours of the 18th, enclosing one for the Countess of Selkirk, which I forwarded this day by way of Holland, as you desire. It is a gallant letter, and must give her ladyship a high and just opinion of your generosity and nobleness of mind.

The Jersey privateers do us a great deal of mischief by intercepting our supplies. It has been mentioned to me that your small vessel, commanded by so brave an officer, might render great service by following them where greater ships dare not venture their bottoms; or, being accompanied and supported by some frigates from Brest, at a proper distance, might draw them out, and then take them. I wish you to consider of this, as it comes from high authority, and that you would immediately let me know what you think of it, and when your ship will be ready.

I have written to England about the exchange of your prisoners. I congratulate you most cordially on your late success, and wish for a continuance and increase of the honor you have acquired. It will always be a pleasure to me to contribute what may lie in my power towards your advancement and that of the brave officers and men under your command.

I am, etc.,

B. FRANKLIN.

Franklin to John Paul Jones.†

PASSY, June 1, 1778.

DEAR SIR: I have the pleasure of informing you that it is proposed to give you the command of the great ship we have built at Amsterdam. By what you wrote to us formerly I have ventured to say in

* 8 Sparks' Franklin, 273; 6 Bigelow's Franklin, 179.

† 8 Sparks' Franklin, 274; 6 Bigelow's Franklin, 180.

your behalf that this proposition would be agreeable to you. You will immediately let me know your resolution; which, that you may be more clear in taking, I must inform you of some circumstances. She is at present the property of the king; but, as there is no war yet declared, you will have the commission and flag of the United States, and act under their orders and laws. The *Prince de Nassau* will make the cruise with you. She is to be brought here under cover as a French merchantman, to be equipped and manned in France. We hope to exchange your prisoners for as many American sailors; but if that fails, you have your present crew, to be made up here with other nations and French.

The other commissioners are not acquainted with this proposition as yet, and you see, by the nature of it, that it is necessary to be kept a secret till we have got the vessel here, for fear of difficulties in Holland and interruption. You will therefore direct your answer to me alone, it being desired that at present the affair rest between you and me. Perhaps it may be best for you to take a trip up here to concert matters, if in general you approve the idea. I was much pleased with reading your journal, which we received yesterday.

I am, etc.,

B. FRANKLIN.

A. Lee to the Committee of Foreign Affairs.*

PARIS, June 1, 1778.

GENTLEMEN: The hurry in which the last dispatches went away prevented me from being so particular about them as I wished. Nos. 7, 8, and 9 were omitted, being newspapers, and too voluminous for the conveyance. M. Monthieu's papers were sent to show you the demands that are made upon us and the grounds of them. You will see that they are accounts which Mr. Deane ought to have settled. It is this sort of neglect and a studied confusion that have prevented Mr. Adams and myself, after a tedious examination of the papers left with Dr. Franklin, from getting any satisfaction as to the expenditure of the public money. All that we can find is that millions have been expended and almost everything remains to be paid for. Bargains have been made of the most extravagant kind with this Mr. Monthieu and others. For example, the uniforms that are agreed for at thirty-seven livres might have been had here for thirty-two livres each, and equally good, which being 5 livres in every suit too much, comes to a large sum up on thousands.

Of the 100,000 livres advanced to Mr. Hodge there appears no account. I have been told that Cunningham's vessel cost but £3,000 sterling; for what purpose the overplus was given to Mr. Hodge, how the

* MSS. Dep. of State; 2 A. Lee's Life, 52; 1 Sparks' Dip. Rev. Corr., 496.

public came to pay for her refitting, and at length the vessel and her prize-money made over to Mr. Ross and Mr. Hodge, without a farthing being brought to public account, it rests with Mr. Deane or Mr. Hodge to explain. I have enclosed you all the receipts found among those papers, the sending of which has been neglected. Of the triplicates and duplicates an original is sent, and copies of those that are single. You will see that my name is not to the contracts. In fact, they were concealed from me with the utmost care, as was every other means of my knowing how these affairs were conducted; and as both my colleagues concurred in this concealment, and in refusing my repeated requests to make up accounts and transmit them to Congress, it was not in my power to know with accuracy, much less to prevent, this system of profusion. I was told that Mr. Williams, to whom I knew the public money was largely intrusted, was to furnish his accounts monthly; but they were never shown me; and it now appears that for the expenditure of a million of livres he has given no account as yet; nor can we learn how far what he has shipped is on the public, how far on private account. We are in the same situation with regard to Mr. Ross. The indulgence to Mr. Williams,* and favoring Mr. Chaumont, a particular friend of Dr. Franklin, is the only reason I can conceive for the latter having countenanced and concurred in all this system. You will see a specimen of the manner of it in the enclosed copy of a letter from Dr. Franklin to his nephew, which the latter sent me as an authority for his doing what the commercial agent conceived to be encroaching on his province. I have done my utmost to discharge my duty to the public in preventing the progress of this disorder and dissipation in the conduct of its affairs. If it should be found that my colleagues have done the same, I shall most cordially forgive them the offense and injury so repeatedly offered me in the manner of it. I do not wish to accuse them, but excuse myself; and I should have felt as much happiness in preventing as I have regret in complaining of this abuse.*

The appearance of things between this country and Great Britain, and the Emperor and the King of Prussia has been so long hostile,

*The insinuation here that Dr. Franklin was disposed to favor Mr. Williams, because he was his nephew, seems to have been made without just grounds. The contrary, indeed, would appear from the following extract of a letter written by Dr. Franklin to Mr. William Lee, March 6, 1778, when Mr. Lee proposed to him that the commissioners should appoint Mr. Williams as a commercial agent at Nantes:

"Your proposition," says Dr. Franklin, "about appointing agents in the ports shall be laid before the commissioners when they meet. In the mean time I can only say that as to my nephew, Mr. Williams, though I have from long knowledge and experience of him a high opinion of his abilities, activity, and integrity, I will have no hand in his appointment or in approving it, not being desirous of his being in any way concerned in that business."

"I am obliged to you for your good opinion of my nephew, manifested in your intention of nominating him as above; and I beg you to accept my thanks, though for particular reasons, which you know, I do not wish him to accept the employment."—SPARKS.

without an open rupture, that it is not easy to say when either war will begin. The King of Prussia has found it so necessary to cultivate the aid of Hanover, Hesse, Brunswick, etc., that he has declined receiving your deputy or following the example of France, as he promised. It remains, therefore, to try the empress, who, independent of the present crisis, was much less inclined to our cause. It seems to be the settled system of northern politics that, if a war should happen, the Empress of Russia will assist the King of Prussia, as far as the Porte will permit her.

In this country, the appointment of Marechal de Broglie commander of the army on the sea-coast, and the Duc de Chartres, son of the Duc d'Orleans and prince of the blood, going on board the fleet at Brest, announce designs of some dignity and magnitude.

I am of opinion, with our colleague Mr. Adams, that it would be better for the public that the appointment of your public ministers were fixed, instead of being left at large, and their expenses indefinite. From experience I find the expense of living in that character can not well be less than £3,000 sterling a year, which, I believe too, is as little as is allowed to any public minister above the rank of a consul. If left at liberty, I conceive that most persons will exceed this sum. Neither do I perceive any adequate advantage to be expected from having more than one person at each court. When things take a more settled form there will be little need of that check, which is the chief utility of it at present.

The mixing powers, too, and vesting them in several persons at the same time, give ground for disputes, which are disgraceful, as well as detrimental to the public. This has been much experienced in the case of the commercial agents and the agent of the commissioners, who have been clashing and contesting till the public business was almost entirely at a stand. For the present, however, we have settled this matter by directing all commercial business to be put into the hands of those appointed by the commercial agent till the pleasure of Congress is known.

Two more ships have been lately sent to Newfoundland, and two to the Mediterranean, which, with thirteen detached under Admiral Byron to reinforce Lord Howe, leave seventeen of the line and eight frigates for Admiral Keppel, and these very ill-manned. I have exceeding good information that their plan of operations for America is as follows: General Howe is to evacuate Philadelphia, sending 5,000 of his troops and two ships of war to Quebec; the rest of the troops, with the fleet, are to return to Halifax, where the latter, being joined by Admiral Byron, will, it is presumed, maintain a superiority in those seas over the allied fleet.

* For an explanation of all the charges contained in this letter, see Silas Deane's letter to the President of Congress under date of October 12, 1778. See concerning Williams' accounts, A. Lee to Committee of Foreign Affairs, June 9, 1778.

I wrote you before that the lowest estimate given to the English ministry for the defense of Canada was 8,000 men, and that their actual force there was about 4,000; the 5,000 added will, in their opinion, be sufficient, with their superiority at sea, for its protection. I can not learn that any but some German recruits are to be sent out this year, and, from the situation of things, they are more likely to recall a great part of their troops than to reënforce them.

Our friends in Spain have promised to remit me 150,000 livres more, which I shall continue to vest in supplies that may be useful to you.*

I hope, in consequence of what I formerly wrote, to have the express order of Congress relative to the line they would choose to fix between the territories of the United States and those of the crown of Spain. The privileges to be enjoyed by the subjects of the United States, settling for the purposes of commerce, and the regulation of port duties, remain yet to be settled in both nations. But I foresee that if they are left unregulated, they will be the source of complaints and disagreements.

The flotilla is not yet in port, which retards the operations in Europe. I could have wished that the great object of having a superior naval force in America had not been left to the uncertain issue on which it was placed by other advice than mine. Had the Prest and Toulon fleets, which were equally ready, been ordered to sail at the same time, that which met immediately with favorable winds to go on, and the other to return, one of them would probably have been upon your coast before this time, that is, before the English fleet could possibly have sailed to reënforce and save Lord Howe; and as having a superior force in America was the great object, together with that of taking the Howes by surprise, they should have made as sure of this aim as possible. And, indeed, had it been executed with address, the war would have been ended.

M. Penet has proposed to me the collecting and carrying over a number of workmen, to establish a foundry of cannon and a manufactory of small arms. It is to be at his expense, under the protection of Congress. As this seems to me much more likely to answer your purposes than our sending them, I have ventured to give him my opinion that it will be acceptable to Congress. We have found such a universal disposition here to deceive us in their recommendations, that it is ten to one if workmen chosen by us in such a circumstance were skillful.

The disposition in Holland seems to be favorable to us, but I apprehend it is not warm enough to produce any decided proof of it till they see Great Britain more enfeebled. M. Dumas published a memoir I sent him on the subject, which he thinks will have some effect.

With my humble duty to Congress, I have the honor to be, etc.,

ARTHUR LEE.

* No such supplies arrived.

Franklin, Lee, and Adams to Sartine.*

PASSY, June 3, 1778.

SIR: We have the honor of enclosing to your excellency an account of duties paid by the agent for necessary supplies to the ship of war the *Boston* in the port of Bordeaux. As these duties are very heavy, and the payment of any duties on mere supplies to ships of war, as on merchandise exported, appears to us uncommon, we beg the favor of your excellency to give such orders relative to it in all his majesty's ports as may regulate this for the future.

The captain of the ship of war the *Ranger*, belonging to the United States, has, we understand, put his prizes into the hands of the intendant or commandant at Brest; and no account has been rendered of them to the public agent or to us. We are also given to understand that, in consequence of this proceeding, very heavy fees are to be paid upon the sale of them. As the transaction is altogether improper, we must trouble your excellency for an order to the commandant to deliver them, without delay or extraordinary charges, to the public agent, Mr. Schweihauser, at Nantes, or to his order.

It would give us satisfaction to annoy our enemies by granting a letter of marque, as is desired, for a vessel fitting out at Dunkirk, and, as it is supposed by us, containing a mixed crew of French, Americans, and English. But if this should seem improper to your excellency, we will not do it.

We have the honor, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin et al., Commissioners, to John Paul Jones.†

PASSY, June 3, 1778.

SIR: We have received sundry letters from Lieutenant Simpson, and sundry certificates from officers and others, concerning his behavior in general, and particularly upon that occasion in which he is charged with disobedience of orders. Without giving or forming any decided opinion concerning his guilt or innocence of the crime laid to his charge, we may venture to say that the certificates we have received are very favorable to his character, and at least have reason to hope that he did not mean to disobey his orders. Be this, however, as it may, we are constrained to say that his confinement on board of any other ship than the *Ranger*, and much more his confinement in a prison on shore, appears to us to carry in it a degree of severity which can not be justified by reason or law. We therefore desire you would release Mr.

* 1 Sparks' Dip. Rev. Corr., 290.

† 2 Sparks' Dip. Rev. Corr. 570.

Simpson from his imprisonment, and permit him to go at large upon his parole to go to Nantes, there to take his passage to America by the first favorable opportunity, in order to take his trial by a court martial.

We request you to transmit to us as soon as possible an account of what is due to Lieutenant Simpson, according to the ship's books, for wages.

An application has been made to us in behalf of Mr. Andrew Fallen, one of the prisoners lately made by you, and his case represented with such circumstances as have induced us to request you to let Mr. Fallen go where he will, after taking his parole in writing that he will not communicate any intelligence which may be prejudicial to the United States; that he will not take arms against them during the war, and that he will surrender himself prisoner of war whenever called upon by Congress or their ministers at Paris.

We are, sir, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin et al., Commissioners to Lieutenant Simpson, of the Ranger.*

PASSY, June 3, 1778.

SIR: We have received several letters from you, and several certificates from officers and others, respecting your behavior in general, as well as particularly relative to the charge of disobedience of orders for which you have been confined. It would be improper for us to give any opinion concerning this charge, which is to be determined only by a court martial. But we have requested Captain Jones to set you at liberty upon your parole to go to Nantes, there to take your passage to America by the first favorable opportunity, in order to take your trial by a court martial.†

We are, sir, your humble servants,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

A. Lee to Dumas.‡

CHAILLOT, June 4, 1778.

DEAR SIR: It gave me great pleasure to receive the key to the treasure you sent us before in Dutch, my unacquaintance with which having prevented me from knowing how much I was obliged to you for

* 2 Sparks' Dip. Rev. Corr., 571.

† See on this subject a letter from Paul Jones to the Commissioners, June 16, 1778.

‡ 1 Sparks' Dip. Rev. Corr., 501.

the improvement made in the little essay I had the honor of sending to you. *Felix faustumque sit.* May it open the eyes of your people to their own interests, before a universal bankruptcy in England and a compelled frugality in America have deprived them of the golden opportunity of extricating themselves from bad debtors and connecting themselves with good ones.

So fair an opportunity of sharing in the most valuable commerce on the globe will never again present itself; and, indeed, they are greatly obliged to the noble and disinterested principles of the court of France, which prevented this country from attempting to possess itself of the monopoly which Great Britain had forfeited. In truth, they were great and wise principles, and the connection formed upon them will be durable. France and the rest of Europe can never pay too large a tribute of praise to the wisdom of the most Christain king and his ministers in this transaction.

You are happy in having the esteem and counsel of the Grand Facteur, who seems to have equal good sense and good intentions. Our enemies seem embarrassed in their operations. As far as we can learn, their fleet has not yet sailed for America to save the Howes from the fate that hangs over them. We have no intelligence on which we can rely.

I have the honor to be, etc.,

ARTHUR LEE.

Sartine to the Commissioners.*

MARLY, le 6 juin 1778.

Je suis informé, Messieurs, que le Sieur Bersolle, après avoir fait des avances assez considérables au capitaine Jones, commandant la frégate des États-Unis de l'Amérique, *le Ranger*, s'est fait donner par ce capitaine une lettre de change dont vous avez refusé de faire acquitter le montant. Comme le Sieur Bersolle se trouve par là dans l'embarras, et que vous sentirez sans doute qu'il est intéressant pour la conservation de votre crédit qu'il en soit tiré promptement, je suis persuadé que vous ne différerez pas de faire payer non seulement la lettre de change dont il s'agit, mais encore ce qui est dû par le capitaine Jones à la caisse de la marine à Brest, tant pour les effets qui lui ont été délivrés des magasins du roi, que pour sa subsistance personnelle et celle de son équipage. Sur ce qu'il a représenté que les gens de son équipage avoient pillé du navire, *le Chatham*, beaucoup d'effets, dont une partie, consistant en argenterie, avoit été vendue à un juif, il a été pris des informations au moyen desquelles l'argenterie et d'autres effets ont été retrouvés; mais le tout a été en dépôt pour y rester, jusqu'à ce

* 7 John Adams' Works, 15.

que le capitaine soit en état de rembourser ce qui a été payé pour ces effets.

Je pense, au surplus, qu'il est à propos que vous soyez informés que ce capitaine, qui s'est brouillé avec son état major et avec tout son équipage, a fait mettre en prison le Sieur Simpson, son second. Vous jugerez, peut-être, à propos de vous procurer les éclaircissements nécessaires pour savoir si ce principal officier s'est mis dans le cas de subir une pareille punition. J'ai l'honneur d'être, avec la plus parfaite considération, Messieurs, votre très humble et très obéissant serviteur,

DE SAUTURE.

Harrison to R. Morris.*

VIRGINIA, June 8, 1778.

DEAR SIR: Your favor of the 26th ultimo came to hand a few days ago. At the same time I received the enclosed from my friend Deane, who expected at the time of writing that it would find me in Congress; the contents of it are so interesting to him that it is but justice they should be communicated to some of the members of that body, lest he should suffer more unmerited ill-treatment. The characters he has drawn of the two brothers [Lee] in my opinion are just ones. You, who know them not, can form but an imperfect idea of those on that side of the water by what you have seen on this, they being much more designing, vindictive, and overbearing. Perhaps you may think this impossible, but be assured it is a fact, and that they are no more fit for the characters they bear than any man that can be thought on; however they are fixed, and I suppose America must suffer them for a season longer, as the cabal is at present too powerful to afford us the least prospect of their removal. Dr. Franklin's letter (also enclosed) will in a manner prove that a change ought to take place. When an opportunity offers the welfare of America will loudly call on the virtuous in Congress to make the attempt. You will please to show these letters to my friend Banister and such others only as you can trust, and then return them by some safe hand to me.

I think your conjectures of the enemies' intentions of quitting Philadelphia are highly probable, as I can see nothing but their ruin if they attempt to stay, that is, without reinforcements, if they should get them it is not so certain, as there seems to be such a languor in the minds of the common people from one end of the continent to the other, that it will be impossible to rouse them to action. I speak with certainty as to this country, and from hearsay as to others. I need not tell you it will give me pleasure to find I have been misinformed. The assembly here have exerted themselves greatly; they have voted a full regiment of horse under Nelson, which may be raised if they can be

accoutered. They have also called on two thousand of their countrymen to turn out for six months; and have fallen, I think, on a good method to fill up their continental regiments. The bounties and other advantages in cloths and necessaries offered are almost ruinously great, and yet I am led to think that all this will not do, and that very few men will be got. Heaven, you say, has done much. It has so; but if it now stops, the work will, I fear, not be done. I am not used to despond, and yet I can not help gloomy thoughts when I view our prospects. I am placed in a very honorable situation, much against my will, as it was my firm intention to retire from public business, and apply myself wholly to my own, however thus honorably called on. I must divide my time between both in such a manner that I hope neither will suffer greatly. You will before this reaches you have heard that our bay is clear of men-of-war. They are gone, it seems, after the fleet expected from France. I hope they will miss their aim, and that we shall have no more of their company, in which case this country will be in flourishing circumstances, for I plainly see the continent must make much the greatest part of its remittances from the southern States.

Penn gave me a hint of the evil intended you by a certain great man; but that when he came away it only appeared by now and then an inuendo, and a promise of what he intended to do when you were present. If he ever makes his attack, I am sure it will end in his own confusion, and prove him to be, what I from a very short acquaintance suspected he was, an empty, envious, conceited —.

I am, dear sir, your affectionate and obliged humble servant.

F. S. Perhaps the Congress may now want my ship. I think she can be got out in the fall.

[Without signature or direction].

A. Lee to the Committee of Foreign Affairs.*

PARIS, June 9, 1778.

GENTLEMEN: My last, of the 1st, informed you of Admiral Byron, with thirteen sail, being ordered against you, of which we sent notice by every way most likely to warn the States of their danger.

We have now certain advice that this fleet, having put into Plymouth, is there stopped, their remaining fleet being found too weak to protect them at home. I enclose you a late account of their force and the disposal of it; and nothing seems more certain than that the naval and land force now employed against you will be diminished, not augmented. However, I have now settled such means of intelligence that you will be apprised if any alteration should happen.

* 2 A. Lee's Life, 57; 1 Sparks' Dip. Rev. Corr., 501. See, as to A. Lee's information as to British movements, Introduction, §§ 150, 151; as to Williams, *id.*, § 186.

All our intelligence announces the utmost confusion in Great Britain and Ireland, such as will infallibly find them employment at home, independent of France and Spain. Their councils are so fluctuating, in consequence of the variety of their distress, that advices of them can not be given with certainty; that is, without being frequently subject to appear premature.

The British ministry have agreed to an exchange of prisoners with us, by which we shall immediately release upwards of two hundred.

War is not commenced in Germany, but is talked of as inevitable. The deputy of Congress for Vienna is at his destination, to feel the disposition of that court. But I understand that their attention is so engaged with the approaching war that other propositions proceed slowly. As the King of Prussia contends against the empress and the house of Austria in maintenance of the treaty of Westphalia, which is the great bulwark of German rights, it is therefore necessary that he should league himself with the German princes, among whom the King of Great Britain, as Elector of Hanover, bears so much sway that he could not hazard the turning his influence against him by entering into an alliance with us. To cultivate and encourage the favorable disposition towards us in Holland, we have sent them the treaty concluded here, and we shall follow it by proposals for a loan as soon as Dr. Franklin (to whom the digesting of the plan, and having the proposed bills printed, is left) has prepared the business for execution.

Mr. Williams has at length given in his accounts, from which it appears that upwards of forty thousand suits of the soldiers' clothes ordered and twenty thousand fusils have been sent from Nantes and Bordeaux; and the present exhausted state of finances will not permit us to fulfill them further. The ships of war sent hither are an enormous expense to us, hardly any of them less than 100,000 livres, and things have been hitherto so managed that their prizes produce us little or nothing. This seems to have arisen from the variety of agents employed, the confusion of their provinces, and the loose manner in which the public accounts have been kept. To remedy this, we have to simplify the business of expenditure, by directing the whole to be discharged by the two deputy commercial agents appointed by my brother in the interval of his negotiation in Germany. By this we expect to avoid the infinite impositions arising from a connection with a multiplicity of merchants, many of whom, supposing us to know no better, will endeavor to deceive us. They, as merchants, know how to check the others, and are themselves ultimately responsible to us.

I have the honor to be, etc.,

ARTHUR LEE.

Franklin to Paul Jones.*

PASSY, June 10, 1778.

DEAR SIR: I received yours of the 1st instant, with the papers enclosed, which I have shown to the other commissioners, but have not yet had their opinion of them. I only know that they had before, in consideration of the disposition and uneasiness of your people, expressed an inclination to order your ship directly back to America. You will judge from what follows whether it would not be advisable for you to propose their sending her back with her people and under some other command.

In consequence of the high opinion the minister of the marine has of your conduct and bravery, it is now settled (observe that this is to be a secret between us, I being expressly enjoined not to communicate it to any other person, not even to the other gentlemen) that you are to have the frigate from Holland, which actually belongs to Government, and will be furnished with as many good French seamen as you shall require; but you are to act under Congress' commission. As you may like to have a number of Americans, and your own are homesick, it is proposed to give you as many as you can engage out of two hundred prisoners which the ministry of Britain have at length agreed to give us in exchange for those you have in your hands. They propose to make the exchange at Calais, where they are to bring the Americans. Nothing is wanting to this but a list of yours, containing their names and rank, immediately on the receipt of which an equal number are to be prepared and sent in a ship to that port where yours are to meet them. Pray send this list by return of the post if possible. If by this means you can get a good new crew, I think it will be best that you are quite free of the old, for a mixture might introduce the infection of that sickness you complain of. But this may be left to your discretion.

Perhaps we shall join with you the *Providence*, Captain Whipple, a new continental ship of thirty guns, which, in coming out of the river of Providence, gave the two frigates that were posted to intercept her each of them so heavy a dose of her eighteen and twelve-pounders that they had not the courage, or were not able, to pursue her. The *Boston* is supposed to be gone from Bordeaux.

It seems to be desired that you should step up to Versailles (where we will meet you) in order to such a settlement of matters and plans with those who have the direction as can not well be done by letter. I wish it may be convenient to you to do it directly. The project of giving you the command of this ship pleases me the more, as it is a probable opening to the higher preferment you so justly merit.

I have the honor to be, etc.,

B. FRANKLIN.

* 8 Sparks' Franklin, 275; 6 Bigelow's Franklin, 181.

A. Lee to Vergennes.*

CHAILLOT, June 14, 1778.

SIR: It was with great pleasure I heard the explanation which your excellency did me the honor to give me yesterday relative to the twelfth article of the commercial treaty; that it was meant to comprehend only provisions, and not the whole of our exports to his majesty's islands, and that *denrées*, the word employed, signifies eatables, not merchandise. It relieved the apprehensions I had entertained, that the having set in that article the whole of our produce against one of your productions would seem unequal, would therefore give uneasiness in Congress, and prevent that unanimity in their approbation of the treaty which the wise and liberal principles on which it is planned deserve, and which I most sincerely wished it might receive.

Upon referring, however, to the words of the treaty, I find they are *denrées et marchandise*, so that the words appear, by I know not what accident, to have been different from and to mean more than you intended. I lament extremely that nothing of this explanation passed in our conference and correspondence with M. Gerard on this and the preceding article. Yet I am not without hope that Congress will rather trust to the equity of your court for reducing the article to its intended equality than gratify our enemies by an appearance of dissension in ratifying the treaties.

Reciprocity and equality being the principles of the treaties, and duration the object, your excellency will in my judgment have an opportunity of strengthening the confidence and ties between us by offering to remove words of a latitude not intended, and of an inequality which must be seen and create dissatisfaction.

I have the honor to be, etc.,

ARTHUR LEE.

Vergennes to A. Lee.

[Translation.]

VERSAILLES, June 15, 1778.

SIR: I received with pleasure the letter you did me the honor of writing to me yesterday. We shall not be long probably before we receive news from your constituents and their judgment of the act which you signed here in conjunction with your colleagues. Should they demand any éclaircissements, we shall not refuse to make them. You know our principles, and I think we have given proofs of our disinterestedness.

I see with pleasure, sir, that you are satisfied with the proofs of the

* 1 Sparks, Dip. Rev. Corr., 503.

† 1 Sparks, Dip. Rev. Corr., 504.

Prince de Montbaray's zeal in procuring you the articles you requested from him.* You will always find us disposed to do everything that may concern the welfare of the United States of America.

I have the honor to be, etc.,

DE VERGENNES.

A. Lee to the Committee of Foreign Affairs.^t

PARIS, June 15, 1778.

GENTLEMEN: I find I was mistaken in saying in my last, of the 9th, that twenty thousand fusils had been shipped from Nantes and Bordeaux; upwards of ten thousand remain unshipped at Nantes. Upon the strength of the promised remittance from our friends in Spain and near one hundred thousand remaining in my hands I have desired the Gardoquis to continue shipping blankets and strong shoes from Bilboa; twenty thousand livres worth of drugs and salt to be shipped by Mr. Cathatan, of Marseilles; a thousand suits of soldiers' clothes from Bordeaux, by Mr. Bonfield; and six hundred fusils, of the Prussian make, from Berlin, that you may judge, on arming a corps with them, whether they are preferable to others.

My brother writes me from Vienna, in a late letter, that Colonel Faucit is using the utmost endeavors to raise German recruits; but from the present state of things I do not imagine he can succeed; and the north, that is Russia and Denmark, are not likely to give our enemies any assistance. As far as I can judge, their efforts against us, except a sort of piratical war, are exhausted. The same ministry continues. The house of Bourbon is certainly united against them. They have the same imbecility of council. Their enemies increase in proportion to the diminution of their means. The decay of their commerce, the distress of their people, the rapacity of their public officers, and the load of their debt and taxes promise soon to bring upon them the most deplorable distress, and prevent them from being any longer a formidable enemy.

The flotilla is not yet arrived. The enclosed copies of Captain Jones's letters, and one[‡] from the majority of his crew, make me apprehend that the *Ranger* will share the fate of the *Revenge*. We have done all in our power to bring him and his officers into order, but hitherto in vain.

I have the honor to be, etc.,

ARTHUR LEE.

* This relates to military articles for the State of Virginia, which Mr. Lee was authorized to procure. The correspondence concerning this subject will be found in the first volume of the Life of Arthur Lee.—SPARKS.

† 1 Sparks' Dip. Rev. Corr., 504.

‡ Both missing.—SPARKS.

Franklin, Lee, and Adams, to Sartine.*

PASSY, June 15, 1778.

SIR: We beg leave to inform your excellency, in answer to the complaint of M. Bersolle, that he had formerly taken the liberty himself to draw on our banker for advances made to Captain Jones before his last cruise, and was much displeased that his draft was refused payment. We acquainted him then with the reason of this refusal, namely: That he had sent us no accounts of his disbursements or advances, by which we might judge whether his draft was well founded; and he had never any permission to draw on our banker. However, afterwards, when we had seen his accounts, payment was made to him. In the present case it is said he has advanced to Captain Jones a thousand louis, immediately on his arrival, for which the captain has drawn on us in M. Bersolle's favor. But as Captain Jones had not previously satisfied us of the necessity for this advance, nor had our permission for the draft, his bill was also refused payment. And as Captain Jones writes us that, upon the news of our refusal, he was reduced to necessity, not knowing where to get victuals for his people, we conclude that the advance was not actually made, as it is impossible he should, in so short a time, have spent so large a sum. And we think it extremely irregular in merchants to draw bills before they send their accounts, and in captains of ships of war to draw for any sums they please without previous notice and express permission. And our captains have the less excuse for it, as we have ever been ready to furnish them with all the necessaries they desired, and Captain Jones in particular has had of us near a hundred thousand livres for such purposes, of which twelve thousand was to be distributed among his people to relieve their necessities, the only purpose mentioned to us for which this draft was made and which we thought sufficient. If this liberty assumed of drawing on us without our knowledge or consent is not checked, and we are obliged to pay such drafts, it will be impossible for us to regulate our own contracts and engagements so as to fulfill them with punctuality, and we might in a little time become bankrupts ourselves. If, therefore, M. Bersolle has brought himself into any embarrassment, it is not our fault, but his. We are ready to discharge all debts we contract; but we must not permit other people to run us in debt without our leave; and we do not conceive it can hurt our credit if we refuse payment of such debts.

Whatever is due for necessaries furnished to Captain Jones by the Caisse de la Marine at Brest, either from the magazine or for the subsistence of his people, we shall also readily and thankfully pay as soon as we have seen and approve of the accounts; but we conceive that, regularly, the communication of accounts should always precede demands of payment. We are much obliged by the care that has been taken to recover the goods pillaged from the *Chatham*, and we think

the charges that have arisen in that transaction ought to be paid, and we suppose will be paid, out of the produce of the sales of that ship and her cargo.

We understand that Lieutenant Simpson is confined by his captain for breach of orders; he has desired a trial, which can not be had here; and therefore, at his request, we have directed that he should be sent to America for that purpose.

We shall be obliged to your excellency for your orders to permit the immediate sale of the *Chatham* and other prizes; that the part belonging to the captors may be paid them, as they are very uneasy at the delay, being distressed for want of their money to purchase clothing, etc., and we wish to have the part belonging to the Congress out of which to defray the charges accruing on the ships. The difficulties our people have heretofore met with in the sale of prizes have occasioned them to be sold often for less than half their value. And these difficulties, not being yet quite removed, are so discouraging, that we apprehend it will be thought advisable to keep our vessels of war in America, and to send no more to cruise on the coast of England. We are not acquainted with the character of Captain Batson, but if your excellency should have occasion for a pilot on the coast of America, and this person, on examination, should appear qualified, we shall be glad that he may be found useful in that quality; and we are thankful to the consul at Nice for his readiness to serve our countrymen.

With the greatest respect and esteem, we have the honor to be, your excellency's, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin to Hartley.*

PASSY, June 16, 1778.

SIR: I received yours of the 5th instant, acquainting us that the ministry have at length agreed to an exchange of prisoners. We shall write to Captain Jones for the list required, which will be sent you as soon as received. We understand there are at least two hundred. We desire and expect that the number of ours shall be taken from Tortune and Plymouth in proportion to the number in each place, and to consist of those who have been longest in confinement—it being not only equitable that they should be first, but this method will prevent all suspicions that you pick out the worst and weakest of our people to give in exchange for your good ones. If you think proper to clear your prisoners at once and give us all our people, we give you our solemn engagement—which we are sure will be punctually executed—to deliver

* 1 Sparks' Dip. Rev. Corr., 291.

to Lord Howe in America, or to his order, a number of your sailors equal to the surplus, as soon as the agreement arrives there.

There is one thing more which we desire may be observed. We shall note in our lists the names and numbers of those taken in the service of the king, distinguishing them from those taken in the merchants' service; that in the exchange to be made you may give adequate numbers of those taken in the service of the States and of our merchants. This will prevent any uneasiness among your navy men and ours if the seamen of merchantmen are exchanged before them. As it will be very troublesome and expensive, as well as fatiguing to them, to march our people from Brest to Calais, we may endeavor to get leave for your ship to come to the road of Brest to receive them there, or if that can not be, we must desire from your admiralty a passport for the ship that is to convey them from Brest to Calais. If you have any of our people still prisoners on board your ships of war, we request they may be put into the prisons, to take their chance of exchange with the rest.

B. FRANKLIN.

Franklin, Lee, and Adams to John Paul Jones.*

PASSY, June 16, 1778.

SIR: Upon the receipt of this letter you will forthwith make preparations with all possible dispatch for a voyage to America. Your own prudence will naturally induce you to keep this your destination a secret, lest measures should be taken by the enemy to intercept you. If, in the course of your passage home, opportunities should present of making prizes, or of doing any material annoyance to the enemy, you are to embrace them, and you are at liberty to go out of your way for so desirable a purpose.

The fishery at the banks of Newfoundland is an important object, and possibly the enemy's men-of-war may have other business than the protection of it. Transports are constantly passing and repassing from Rhode Island, New York, and Philadelphia to Halifax and from all these places to England. You will naturally search for some of these as prizes.

If the French Government should send any dispatches to you, or if you should receive any from us to carry to America, you will take the best care of them, and especially that they may not fall into improper hands. You are not, however, to wait for any dispatches, but to proceed upon your voyage as soon as you can get ready. If there is any room on board your ship where you could stow away a number of chests of arms or of clothing for the use of the United States, you will inform M. Schweighauser of it, that he may send them to you before your

* 1 Sparks' Dip. Rev. Corr., 292.

departure. We do not mean to encumber you with a cargo which will obstruct the sailing of your ship or will impede her fighting; but if, consistent with her sailing and fighting, she can take any quantity of arms or clothing, it will be a desirable object for the public.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

John Paul Jones to the Commissioners at Paris.*

PASSY, June 16, 1778.

GENTLEMEN: At the time when I took Lieutenant Simpson's parole I did not expect to have been so long absent from America; but as circumstances have now rendered the time of my return less certain, I am willing to let the dispute between us drop forever by giving up that parole, which will entitle him to the command of the *Ranger*. I bear no malice; and if I have done him an injury, this will be making him all the present satisfaction in my power. If, on the contrary, he has injured me, I will trust to himself for an acknowledgment.

I have the honor to be, with sentiments of esteem and respect, your obliged, etc.,

JOHN PAUL JONES.

Johnstone to Morris.†

[Private.]

PHILADELPHIA, June 16, 1778.

DEAR SIR: I came to this country in a sincere belief that a reconciliation between Great Britain and America could be established on terms honorable and beneficial to both. I am persuaded and can prove that the last treaty with France should be no bar, and the first treaty, if ever you saw it, should be an inducement. Supposing every obstacle to prevent us from treating removed, we are then to consider whether the terms proposed are advantageous. I enclose you my sentiments on the subject at large. If they concur with yours, we should join in the work with all the prudence and all the means possible and virtuous. I believe the men who have conducted the affairs of America incapable of being influenced by improper motives. But in all such transactions there is risk, and I think whoever ventures should be secured, at the same time that honour and emolument should naturally follow the fortune of those who have steered the vessel in the storm and brought her safely to port. I think that Washington and the President have a right to

* 1 Sparks' Dip. Rev. Corr., 291.

† MSS. Dep. of State, vol. 13, No. 78.

every favor that grateful nations can bestow if they could once more unite our interest and spare the miseries and devastation of war.

I wish, above all things, to see you, and I hope you will so contrive it. Do not think Great Britain is so low. Remember she never can be lower than you were at Trenton.

It is the same blunderers who produced the war who have conducted it. When the sense of the nation is roused, believe me, she can make struggles that few have conceived, but which I should be sorry to see exerted on such an occasion.

Whatever may be our fate, I shall ever retain the strictest private friendship for you and yours; but let me entreat you to recall all those endearing ties to your recollection.

I am, with affection and esteem, dear sir, your obedient servant,

GEO. JOHNSTONE.*

Carmichael to the President of Congress.†

YORKTOWN, June 17, 1778.

SIR: Since my arrival here I have been informed of the honor conferred upon me by Congress in being appointed secretary to the commissioners at the court of France, an honor which greatly overpays the feeble efforts of my zeal, and is more than I could expect, considering the well-founded pretensions of others to their notice.

I beg leave, through you, sir, to express my grateful sensibility of this proof of their confidence, as well as the ardent desire I have of meritit it in future.‡

I have the honor to be, etc.,

WILLIAM CARMICHAEL.

* Sir George Johnstone, when a member of Parliament, avowing peculiar sympathy with America, was, with Lord Carlisle and William Eden, appointed by Lord North commissioner, in 1778, to arrange terms of "conciliation" with America. Congress, however, declined to enter into any negotiation which did not accept independence as a basis. The above letters to Morris from Johnstone being reported to Congress, a resolution was adopted August 11 expressing the highest and most pointed indignation "against such daring and atrocious attempts to corrupt their integrity," and "that it is incompatible with the honor of Congress to hold any manner of intercourse with the said George Johnstone," etc. Johnstone published a vindication of himself and retired from the commission. Washington, on August 20, 1778, in a letter to the President of Congress, says: "The conduct of Gov. Johnstone has been certainly reprehensible, to say no worse of it, and so I think the world will determine. * * * When these things are known he must share largely in public contempt, and the more so from the opposite parts he has taken." See 6 Sparks' Washington's Writings, 32.

† MSS. Dep. of State; 5 Spark's Dip. Rev. Corr., 15.

‡ It does not appear that Mr. Carmichael ever accepted this appointment. He was chosen a delegate to Congress from Maryland, and joined that body on the 19th of November, 1778.—SPARKS.

*Izard to Franklin.**

PARIS, June 17, 1778.

SIR: Mr. Pringle, who was the bearer of my last letter, has given me an account of his conversation with you on the subject of it. It would have been much more satisfactory to me if, instead of speaking to him about the contents of it, you had done me the honor of writing an answer to it. Words which pass in conversation are sometimes forgotten and sometimes misunderstood. Misrepresentations are frequently the consequence, which though produced by mistake to a mind affected by ill treatment, of which neither the occasion can be learned nor the progress stopped, may pass from effects proceeding from other causes. I enclose you a copy of Mr. Pringle's letter. You will be so good as to correct any mistakes that may be found in it. Some there probably are; I do not, for instance, think it likely you could have said that you did not know what I complained of, at the same time that my complaints appear so numerous that it would require a pamphlet to answer them. It is impossible that both these assertions can be true; and though I can not agree with you in either, I shall not dispute about them, but refer you to the several letters which I have written you since the receipt of your favor of 29th of January.

I have requested to be informed of your reasons for withholding from me all communications respecting the treaty of commerce during the negotiation contrary to an express instruction of Congress. You have constantly, in spite of every endeavor on my part to get your reasons in writing, wrapped yourself up with caution, and notwithstanding the repeated breach of your engagement with me, have not been ashamed to make promises of the same kind and break them again, to amuse me till Mr. Deane had an opportunity of going privately away. I shall not examine your inducements for so carefully avoiding to commit yourself to paper on this subject, but only observe that this determination compels me to mention the reasons given by Dr. Bancroft and your grandson, which would have been more agreeable to me to have had under your own hand. Those gentlemen have informed me that some proposals which Mr. Lee had made to you and Mr. Deane respecting his brother and me made you apprehensive that it was intended to have us admitted into all consultations, and that every question should be carried by a plurality of voices; that this had determined your conduct with respect to communications to me; but that if you had been never so well inclined to communicate anything relative to the treaty, you lay under such strong injunctions of secrecy from the French ministry that it was out of your power to do it.

With respect to the first of these reasons, I shall observe, that if Mr. Lee ever made any such proposal it was entirely unknown to me. I have spoke to him on the subject, and he declares that he never said

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 676, with omissions and verbal changes.

anything that could in the least justify such an apprehension. There does not, indeed, seem the least probability that such a proposal could have been made. The unfortunate dispute in which he was engaged with you and Mr. Deane, and the decided majority of which you were possessed, would have made such an attempt on his part too weak for a man of common understanding.

[Whatever may be the causes of your enmity to him I know not, but I believe you will hardly assert that it proceeds from his want of abilities. I very well remember, and you ought not to forget, when they were powerfully exerted in your defense in the day of your tribulation. When the indecent and barbarous language of a calumniating Scotch lawyer had surrounded you with a host of enemies, when everything wicked and false was said against you, and your name scarcely ever mentioned in London without the most opprobrious epithets being annexed to it;—in that day of danger and distress did Mr. Lee stand forth your friend ; he refuted and exposed the arguments of your assailant, who seemed to aim at nothing less than your total destruction ; and perhaps to these circumstances may your present situation be owing, which puts it in your power to make such a return to him as he has experienced from you. To those who are perfectly acquainted as I am with what has just been mentioned, your conduct towards him, your connections with those who wish him ill, and your endeavors to place him in an odious and contemptible point of view will exhibit a very unpleasing picture of the human heart. He is, however, very capable of defending himself, and if no more accidents happen to his dispatches and no more opportunities of writing to Congress are concealed from him, I doubt not but he will do it with success.*]

With regard to the injunctions of secrecy which the French ministry are said to have laid you under, I answer that you had no right to lay yourself under any such injunctions. Before you can avail yourself of that excuse you should show that you had reminded the French plenipotentiary of there being at that time in Paris two other commissioners of Congress, to whom your duty required you to communicate not only a copy of the treaty originally proposed by Congress, but also whatever subsequent alterations might be proposed on either side. Had this been done, and he had expressed a desire that those commissioners also should be unacquainted with the transaction, rather than the smallest obstruction should be thrown in the way of the negotiation I should have been contented to have had it kept from me as long as you thought proper.

[I believe it will be no difficult matter to show the probability of this injunction of secrecy being obtained to answer your own private purposes. Very certain it is, that you did not think yourself bound to keep the secret any longer than it suited you, nor from any person when you thought it convenient for you to divulge it. If it was of such

* Passage in brackets omitted in Sparks' ed.

importance that the negotiation of the treaty should be kept so secret that even those gentlemen whom Congress had thought proper to honor with commissions equal to your own could not with propriety be trusted with it, by what authority was it communicated to your grandson and to Dr. Bancroft? It will surely not be alleged that there was a necessity of having it copied by somebody, and therefore who so proper as those gentlemen. I can not think that there was any absolute necessity for their assistance in this case, and they will, I am sure, both excuse me for saying that under such circumstances the commissioners themselves should have copied the treaties, especially as one of those gentlemen offered to do it in a letter to you. Some little light will be thrown on this business when it is known that your grandson had some time previous to this been making interest for the office of secretary to the commission, to which Congress had annexed a salary of a thousand pounds sterling a year, and had actually applied to Mr. Deane for his assistance in obtaining it. One of the commissioners proposed that the copies of the treaties which were transmitted to Congress should be examined and attested by themselves. This proposal, I understand, was rejected, as you had determined that your grandson should not only copy, but attest them. They were accordingly sent over to Congress in that manner, that Congress might see how worthy he was of confidence, and of course of the office in question. It is with the utmost reluctance that I find myself compelled to mention this young gentleman, whom I believe to be extremely worthy of any confidence that has or may be placed in him.]*

Having examined these reasons, and I hope at least shown the probability of their being only pretended ones, I shall proceed to state what appears to me the true cause of your conduct; and as it will be necessary to trouble you with a dull narrative, you will I hope excuse it on account of the importance of it. I received a letter in October last from Mr. William Lee, one of the joint commercial agents for conducting the affairs of the Congress in this kingdom, desiring my attendance at your house in Passy, and informing me that he had something of importance to lay before the commissioners. I accordingly attended, and heard an account of some very extraordinary abuses and embarrassments in the commercial department, owing to the misconduct of Mr. Thomas Morris, late one of the joint commercial agents, and to the claim which certain persons made to the management of the affairs of the Congress at Nantes. Mr. Lee complained of great obstructions which he had met with from these circumstances; that so far from receiving any assistance from the commissioners, they seemed to have encouraged the persons who had opposed him in the discharge of his duty, and that he had repeatedly written to the commissioners for their support, without ever having been able to obtain the favor of an answer. He expressed his desire of returning to Nantes and using his

* Passage in brackets omitted in Sparks' Ed.

endeavors to prevent the repetition of such abuses as had been stated, and did not doubt but with the support of the commissioners he should be able to render this material service to the public. The support which he required was a letter from the commissioners, addressed to all such captains of ships as were in the service of the Congress, informing them that he was an agent properly authorized by Congress to manage their commercial concerns in this country, and that it would be proper for them to follow his instructions. This request, which appeared to me extremely reasonable, was to my astonishment rejected both by you and Mr. Deane.

This appeared the more extraordinary to me, as you both acknowledged that you were perfectly convinced of the truth of what Mr. Lee had stated to you, and said you had laid those abuses before Congress, and complained in the strongest terms against Mr. Thomas Morris, whose misconduct had occasioned some of them; that Congress had given you a tacit reproof, by taking no notice of the complaints you had made, and that Mr. Robert Morris, a member of the committee for foreign affairs, had given you *a rap over the knuckles* for having made them. I begged you to consider that the silence of Congress, which you had construed into a reproof, might have been occasioned by the multiplicity of business they had to transact; or they might have attended to them, and their letter on the subject have miscarried. This you said could not have been the case, as the complaints to Congress against Mr. Morris made but part of your letter; there were several other matters contained in it which were all answered, and as the complaint against Mr. Morris was the only part unnoticed, you considered it as a reproof to you for having written to Congress about it. You had attempted once to correct the abuses which everybody knew were practising at Nantes to a very scandalous degree. Mr. Robert Morris had misrepresented your good intentions, and had insinuated in his letter to Mr. Deane of 29th of June that your complaints against his brother were made from interested motives, and that you wished him removed to make room for your nephew. As your conduct had in one instance, relative to the abuses at Nantes, been thus misrepresented, you were determined it should in no other, by adhering to your resolution of not meddling with them.

Your reasons did not appear at all satisfactory to me, and I took the liberty of telling you so, which gave you very great offense. I was extremely sorry for it, but did not at that time, nor have I upon the most mature deliberation since, been able to conceive how it could have been avoided, consistent with my duty. I requested you to consider how unreasonable it was to allow your resentment against the committee for a supposed tacit reproof, and against Mr. Robert Morris for what you called *a rap over the knuckles*, to operate to the prejudice, perhaps to the destruction, of the commercial concerns of your country. Your answer was direct and positive: "If these consequences should hap-

pen, Mr. Robert Morris and the committee must be answerable for them, but you are determined not to meddle with the matter." In this determination Mr. Deane coöperated, and we parted without Mr. Lee's having been able to obtain any satisfaction on the subjects of his complaints, except a promise on your part to countermand an order which you had given relative to the sale of one of the prizes at Nantes. This promise, however, I understand was not fulfilled. I most solemnly protest, that I believe this interview to have been the cause of your excluding me from all communications.

An ear poisoned with flattery listens with reluctance to the voice of truth. Conscious, as you must have been, of having at least given your countenance, in more instances than one, to proceedings which were injurious to the interests of your country, that voice could not have been very pleasing to you. You had just received very substantial proof that no other language but that of truth was to be expected from me, and therefore concluded that I should prove a very troublesome monitor. This determined you to exclude me from all communications whatever, and even proper opportunities of writing to Congress have been frequently concealed from me. You are mistaken in saying that this of Mr. Deane's and Mr. Gerard's is the only one I ever complained of. Without attempting to enumerate them, I shall only desire you to recollect that, in company with your grandson, I complained to you on this subject some time ago, and mentioned particularly the French frigate called the *Belle Poule*, having sailed from Bordeaux the 1st January, charged with your dispatches, without my having the least intimation given me of it till she was gone. In this instance also you availed yourself of that dangerous state engine, necessity, and of the strict injunction of secrecy from the French court. I could, if necessary, remind you of many other matters of the same kind.

Perhaps it may be said that you were not required by Congress to make these communications. This may be considered in the nature of those injuries against which no positive law can be produced, but which are, notwithstanding, known to be injuries by all the world. Had the directions of Congress, however, in these points been as explicit as words could make them, I doubt not but you would have found the means of evading them, as you have in others, if it suited your purpose, and have drawn arguments for your justification from every source. I shall trouble you with my reasons for thinking so. I requested of you at Chaillot to let me know why you had disregarded the instructions of Congress respecting the treaty. You expressed your doubts whether Congress intended to have anything communicated to me except the treaty, after it was concluded. I referred you to the words of the instruction itself, which I had quoted to you in my letter, and asked you if you thought it possible that the gentlemen who had written them could have been so ignorant as not to know the distinction between a proposition and a conclusion. Other doubts arose. If I had been at

Florence, the department which was assigned me by Congress, it might have been inconvenient to have followed the strict letter of the instructions, by sending every alteration of the treaty that might have been proposed on either side, on account of the danger of their being intercepted. In this I agreed with you perfectly, and told you that, if I had been at Florence, you would have had an excuse which at that time was of no service to you. I am sorry to be obliged to refer to words spoken in conversation; I have wished to avoid it, but you have put it out of my power. Had you written down what I have just related, which you promised me to do, it might have been of service to you in one instance. You would have recollect ed having already given it as your opinion that, if I had been at Florence, it would have been improper to have sent me the alterations proposed in the treaty, and would probably not have mentioned to Mr. Pringle a reason in your justification totally the reverse of this. As you have, however, done it, it will be necessary to remind you that my not having gone to Florence has been entirely owing to reasons given me by the Tuscan minister at this court, which I have informed Congress of. These reasons were also communicated to you and the other commissioners, and you thought they ought to be complied with.

[Had my own inclinations alone been consulted, I should not long have remained in this place, to be a witness of such parts of your conduct as I can not think will reflect any honor upon you when they are examined into.]

You observed to Mr. Pringle that I had written you an angry letter. When you reflect upon your proceedings towards me, *that* ought not to surprise you. Having conceived myself injured by you, I make a complaint to you in writing; you deny that it is well founded, and promise me an explanation of your conduct. Relying upon your word, I suffer myself to be amused from time to time by promises and excuses, till Mr. Deane, who has supported you in all your measures, sails for America. Would it not have been fair and honorable to have given me your reasons in justification of your conduct before that gentleman's departure, that I might have had an opportunity either of being convinced by them or of refuting them, and that his verbal representations in America might not be made without having any thing from me to oppose them?

I am very gravely told that, as a proof of your not having thought it a good opportunity, you had not yourself written by Mr. Deane. Is there a man of common sense in the world who will not see that, as Mr. Deane is a party concerned in the contest which has unhappily subsisted between us, and of course will be interested in your justification, there was no absolute necessity for your writing, but that the very reverse was the case with me? Having thus blown up a flame about me, you are unreasonable enough to be surprised at my being warmed by it. Does not this resemble the conduct of the tyrant Kouli Khan,

who, having cut the tendons of a man's legs with his sword, would afterwards have compelled him to dance? I must be very plain in telling you that I envy not the feelings of that man, be his reputation ever so highly exalted, who can with coldness either offer or receive an injury.

[You have acknowledged yourself in our debt, and in the language of scripture desire me to have patience and you will pay me all. Whether the quotation was made ironically or not I can not tell. I have, however, turned to the eighteenth chapter of St. Matthew, from which it was taken, and do not find that your case is at all applicable to the one referred to. The debtor there is represented (verses 25 and 26) as an object of compassion and penitence. Had he been detected in contrivances to put off the day of payment for the purpose of injuring his creditor, the mercy recommended by the divine Author of our religion would not have been extended to him, and he would probably in the first instance have been "delivered to the tormentors"—verse 31. I shall take the liberty of recommending the perusal of the other parts of this chapter to you, and if the instruction which it contains is attended to, your quotation, though inapplicable, may not prove entirely useless. It is proper you should now be acquainted with a piece of information that I have received from Mr. Lee. I repeat, that it is with reluctance I find myself compelled to have recourse to verbal information. Your choosing to make use of insinuations and cautiously avoiding to commit yourself to paper has left me no alternative. Mr. Lee tells me that he applied to you to have the treaties sent me above a month after they were signed; that you said that you had heard a friend of mine had made some insurances respecting a war; that the knowledge of the treaties having been signed might affect those insurances; it might be supposed, however falsely, that I had communicated them to my friend, and therefore you thought it best *for my sake* that I should some time longer be contented to remain without them. I shall beg leave to trouble you with an observation or two on this matter. An injury has been offered through me to the public. In spite of every effort on my part to prevent the continuance and increase of it, you have shown a fixed determination to persist and have availed yourself of every artifice to evade giving any written explanation. Verbal insinuations have, however, been carefully propagated, which may or may not be denied, and now the mask of friendship is put on. You must be conscious that no such effect as you have insinuated could possibly have been produced. Long before the time of your giving that reason to Mr. Lee it was publicly known both in Paris and in London that a treaty had been actually signed with the court of France. Mr. Fox, on the 17th of February, in the House of Commons, confidently asserted it, mentioned accurately the time of its being signed, and gave you as the author of the intelligence. The following is an extract of his speech, printed in the Courier de l'Europe of the 21st of February: "Jai vu une lettre du Docteur Franklin dans laquelle ce commissaire de l'Amérique

dit expressément à son correspondant à Londres il y a dix jours que les députés du Congrès ont signé avec le ministre Français un traité de commerce." I acquainted you myself of this accusation which had been made against you in Parliament. You told me that you had been falsely accused by Mr. Fox, and that you had never written any such letter as he pretended to have seen. It is not my purpose to examine whether Mr. Fox's assertions were true or false. All I wish to show is, that the communicating the treaty to me in the month of March could not have produced the effect you pretended to be afraid of, as the secret was known in February both in France and in England, and from the accuracy of Mr. Fox's intelligence it must have been received from very good authority. A friend of mine, you say, has been speculating in insurances on a war, and therefore *for my sake* you thought it best that I should not desire to see the treaties. This was intended to be thought extremely friendly. I do not know which of my friends you hint at whose speculations have come under your observation, and should be obliged to you if you would inform me. Whoever he may be, I will assert that no secret which might have been intrusted to me should have been divulged to answer any private purposes whatever. How extraordinary it will appear to the public, if it can be proved, that notwithstanding your great kindness and attention to me, speculations of various kinds to a very considerable amount have been constantly carried on by persons residing under your own roof; that one of the gentlemen engaged in those speculations was himself a commissioner; that you were informed of Lord North's having boasted of his lenity in not apprehending a friend of yours who was in London speculating in the funds for the benefit of the commissioners; and that after having been informed of this you yourself communicated the treaty to that gentleman at the very time when you refused to make such communications to Mr. William Lee and myself, in defiance of the express instructions of Congress. It will appear still more extraordinary, if it can be proved, that a friend of yours was in the month of January made acquainted with the very day that the treaty was to be signed; that this information was transmitted to London; and in consequence of it that insurances to a great amount were made, for whose benefit I will not take upon me to say. If these things can be proved, the world will judge by what motive you have been actuated. I have been confidently assured that they can be proved, and I beg that you will let me know if my information is true or false. I have but one thing more to trouble you with at present. Since the greatest part of this letter has been written.]*

I have been told by a gentleman that the French ministry desired that Mr. Arthur Lee and myself, *expressly mentioned by name*, might have certain matters concealed from us. I can not take a step in this business without having some insinuation to encounter. My informant

* Passage in brackets omitted in Sparks' ed.

was not so explicit as I wished him to be. He did not acquaint me with the points intended to be concealed, whether they related to the treaties or to the departure of Mr. Deane. I must beg the favor of you, therefore, to let me know if you were desired by the French ministry to conceal either or both of those matters from *me by name*, or whether, as I believe to be the case, you had no such injunctions at all. There is reason to believe that the insinuation is injurious both to the French ministry and to us. I have never, by any part of my proceedings, subjected myself to be refused admittance into their presence. I have never been compelled to have recourse to any person to soothe and deprecate their resentment, excited by transactions which they thought obliged them to make use of expressions highly reflecting on the honor of my country, at the very time when perhaps the interests, and even the safety, of America might have been affected by that resentment. Will you undertake to make the same declaration? If you do, it shall appear that I do not deal in insinuations; and if the ministry were inclined to show any marks of their dissatisfaction, the world will judge who were the persons most likely to experience them.

If, after having been made acquainted with the instructions of Congress relative to the treaty, the ministry desired to have the proposed alterations concealed from me, and there was any danger of an obstruction to your negotiation if the directions of Congress were insisted on, I shall endeavor to learn what could have induced them to such conduct. The mischievous tendency of some parts of the treaties might have been pointed out, had they been communicated to me before it *was too late*, and a troublesome and ineffectual application to the court of Spain for relief might have been rendered unnecessary.

I am, sir, etc.,

RALPH IzARD.

Lovell to Franklin.*

YORKTOWN, June 20, 1778.

SIR: By a most unlucky mistake I did not forward the resolve of the 5th of May with the ratifications of the treaties sent in that month in the packets A B C, but I have sent it in D E via Martinique, and now forward it via Boston in F G, not allowing myself to wait for the concurrence of the committee in a joint letter.

Our troops were in the city of Philadelphia on the morning of the 18th. The intentions of the enemy in evacuating it can not yet be explained. Our army is in motion and will press them. The gazettes contain everything material. By the arrival of Messrs. Simeon Deane, May 2, Courter, May 18, Stevenson, June 10, Holker and Carmichael, June 18, we have the favors of yourself and other friends in continuance. Commissioners will be particularly nominated to transact affairs

*2 Sparks' Dip. Rev. Corr., 34.

for us at Lisbon and The Hague, if those courts are well disposed towards us. We are now growing anxious about our worthy friend J. Adams.

Your most humble servant,

JAMES LOVELL,
For the Committee of Foreign Affairs.

R. H. Lee, Hayward, and Lovell, for Committee of Foreign Affairs, to the Commissioners at Paris.*

YORK, June 21, 1778.

GENTLEMEN: The British commissioners have arrived, and transmitted their powers and propositions to Congress, which have received the answer you will find in the Pennsylvania Gazette of the 20th instant.

On the 18th of this month, General Clinton, with the British army, (now under his command), abandoned Philadelphia, and the city is in possession of our troops. The enemy crossed into Jersey, but whether with design to push for South Amboy, or to embark below Billingsport, on the Delaware, is yet uncertain. General Washington has put his army in motion, and is following the enemy into Jersey.

There has arrived here a M. Holker, from France, who has presented a paper to Congress, declaring that he comes with a verbal message to Congress from the minister of France touching our treaty with Great Britain, and some other particulars which, for want of his paper, we can not at present enumerate. The style of his paper is as if from the representative of the court, but he has no authentic voucher of his mission for the delivery of this verbal message. We desire of you, gentlemen, to give us the most exact information in your power concerning the authenticity of M. Holker's mission for this purpose.

We are, gentlemen, with esteem and regard, etc.,

RICHARD H. LEE.

THOMAS HAYWARD, Jr.

JAMES LOVELL.

Franklin to Commanders of Vessels.†

GENTLEMEN: Whereas this religious society, commonly called the Moravian Brethren, have established a mission on the northern part of the Labrador coast for the good purposes of civilizing and converting to christianity the barbarians who live there, and by that means putting an end to their custom of plundering and murdering the people of

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 293.

† MSS. Dep. of State.

our fishing vessels and others passing in those seas; and whereas those missionaries and their families depend for subsistence in that unfertile country on the supplies annually sent them, and on the friendship of the natives, which is maintained by little presents of iron ware, all furnished by charitable subscriptions in England; the interruption of which supplies might hazard the loss of those pious missionaries and ruin an enterprise beneficial to humanity: I do therefore hereby certify that the sloop *Good Intent*, burden about 75 tons, Capt. Francis Mugford, carrying in the present voyage about 5,000 bricks for building chimneys, with provisions and necessaries for the missionaries and their assistants and some ironmongery and tinware for the Indians; the crew consisting of the captain, mate, three men, and a boy, and the passengers, one man and three women; is the vessel employed in the above service for the present year. And I request, if the said vessel should be met with by any of you, that you would not consider her as a merchantman, proper to be made a prize of, but rather concur benevolently in promoting so good a design by permitting her to pass freely, and affording her any assistance which the casualties may have rendered necessary, in which I am persuaded your conduct will be approved not only in your own breasts, but by the Congress, by your owners, and by all mankind. Wishing you all success and prosperity, I have the honor to be, gentlemen, your most obedient humble servant,

B. FRANKLIN,

*One of the Plenipotentiary Ministers of the
United States at the Court of France.*

PARIS, June 22, 1778.

Franklin to Hutton.*

PASSY, June 23, 1778.

My dear old friend has here the paper he desired.†

We have had a marble monument made at Paris for the brave General Montgomery, which is gone to America. If it should fall into the hands of any of your cruisers, I expect you will exert yourself to get it restored to us, because I know the generosity of your temper, which likes to do handsome things as well as to make returns. You see we are unwilling to *rob the hospital*; we hope your people will be found as averse to *pillaging the dead*.

Adieu, etc.,

B. FRANKLIN.

* MSS. Dep. of State; 6 Bigelow's Franklin, 184.

† Passport for a vessel which was about to be sent to the Moravian missionaries on the coast of Labrador."—BIGELOW.

Izard to Henry Laurens, President of Congress.*

PARIS, June 28, 1778.

DEAR SIR: The treaties are expected to arrive soon in France, as Congress received them by the *Sensible*, a French frigate, in the month of April. In some of my letters I informed you of my sentiments on one or two of the articles in the treaty of commerce, and of the ineffectual steps which I took in consequence of them. Whether Congress has been made acquainted with these sentiments, or whether they approve of them, I know not, as I have not received a letter from you, from the committee, nor from any member of Congress since my arrival in France. The treaties were not communicated to me till the 30th of March, when they were half the way over to America, and of course too late for any alterations to be made until they had undergone the inspection of Congress.

From the dispositions of the principal parties concerned in the negotiation, and from the manner in which my application respecting the eleventh and twelfth articles of the treaty of commerce was received, there is very little reason to think that any objections, however justly founded, would have made any impression [on the interested views of one or the haughtiness and self-sufficiency of the other]. I have, however, done everything in my power, and I shall be very happy if any good effects should be produced by my endeavors. It has been my constant wish to avoid contentions of every kind; it has been particularly my desire to avoid them with Dr. Franklin from every consideration. His abilities are great and his reputation high. Removed as he is at so considerable a distance from the observation of his constituents, if he is not guided by principles of virtue and honor those abilities and that reputation may produce the most mischievous effects. [In my conscience I declare to you, that I believe him to be under no such internal restraint; and God knows that I speak the real unprejudiced sentiments of my heart. If at any time I have been under the influence of prejudice, it has been in his favor, and nothing but my own observation could have convinced me so thoroughly how undeservedly it is possible for public approbation to be bestowed.]† I send you by this opportunity some papers which I desire may be communicated to my countrymen from South Carolina who are members of Congress; and if it is your opinion that they or any part of them should be laid before Congress, you will be so good as to do it. If, on the contrary, you think the situation of affairs will make it improper to trouble Congress with them, you will withhold them. It is my wish, however, that you may approve of their being communicated to Congress. Whatever may be your determination, I shall think I have acted right in submitting

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 683, with omissions and verbal changes.

† Passages in brackets omitted in Sparks' ed.

them to you. You will find from them with what caution the treaties were concealed from me while they were negotiating, and even after they were signed. When Dr. Franklin thought Mr. Deane had been gone long enough to get to America before any observation could be written on the contents of them, they were sent to me. The article respecting molasses in the treaty of commerce may be productive of considerable mischief.

I can, however, account for that transaction from natural causes. Two of the gentlemen engaged in it were born in New England. That part of America is possessed of very few articles of export, and the great use which is made there of molasses makes it a very desirable object that it should be perpetually exempted from duty. The articles in the treaty of alliance which I have complained of are infinitely more mischievous, and when I attempt to account for the conduct of the gentlemen who have concluded them, and at the same time set aside the clear and unequivocal article on the same subject transmitted to them by Congress, I am utterly incapable of doing it without suspecting the most dishonorable practices, which I can not think they have been guilty of.

It appears the more unaccountable, when the instructions which were transmitted by the Congress to the commissioners at the time the original treaty was sent are examined. Congress judged that some alterations might be found necessary, and explained their intention in the following manner: "It is the wish of Congress that the treaty should be concluded, and you are hereby instructed to use every means in your power for concluding it *according to the plan you have received*. If you should find that to be impracticable, you are hereby authorized to relax the demands of the United States, and to enlarge their offers, *according to the following directions*." In these instructions such articles as it was thought would admit of alteration are pointed out. But the eighth article is not among the number. It seems, indeed, essential to the safety of the States that the countries and islands therein expressly mentioned should be in their possession. There is a most uncommon degree of effrontery in Dr. Franklin's declaring that the fifth article of the treaty of alliance could not possibly admit of such a construction as I apprehended might be put upon it. I have not the least doubt but it was intended to leave an opening for negotiating Florida into the possession of Spain if the successes of the House of Bourbon against England should put it in the power of the former to dictate the terms at the conclusion of a general peace. It is more than probable, likewise, that what I have hinted at in my letter to Mr. Lee respecting Newfoundland and the other islands on our coasts and the fishery, may in future be productive of a great deal of trouble, if proper explanations are not obtained in time.*

* Succeeding events proved all those suspicions and speculations to have been erroneous.—SPARKS.

If anything was necessary to make the effrontery which I have just taken notice of complete, it was Dr. Franklin's observation, that if my apprehensions were ever so just, it was now too late for any remedy here. His tricks and chicanery put it out of my power to make any objections before the treaties were signed and sent to America, and then he gives that as a reason why no remedy should be attempted against the evil which is pointed out. In my conscience I believe him to be an improper person to be trusted with the management of the affairs of America in this kingdom. If he were sent to the court of Vienna he could not have an opportunity of doing any harm. No affront could be taken at this exchange, as that court is in general looked upon to be the first in Europe, and it is improper for the same person to have a commission both for Vienna and Berlin.

[It will be necessary for me to explain that part of my letter to Dr. Franklin to which the extract from Mr. Grand's letter has a reference. There have been from a certain quarter continual speculations in the funds, which would have proved extremely lucrative if France and England could have been unexpectedly precipitated into a war last summer. If this could have been done without exposing the affairs of America to the greatest danger, there would have been good policy in it. But the prospect of private gain seems to have precluded every other consideration, and for that purpose the most desperate measures were adopted, without regard to the most ruinous consequences which might have been produced by them to the public. Upon this foundation was built the whole of the Dunkirk business, in which Captain Cunningham had so considerable a part. Previous to that affair the commissioners were assured of the protection of the court of France and of her good disposition towards America. The taking of the *Harwich* packet, and after Cunningham and his crew were released out of prison, and Mr. Hodge had given the strongest assurances that they should cruise no more in this part of the world, taking several prizes immediately on the coast of England, had very near proved fatal to us. The ministry complained highly of the proceeding; the king was personally exasperated, and very dishonorable reflections were made on America in general. Mr. Hodge was sent to the Bastile; and when Dr. Franklin, Mr. Deane, and Mr. Lee went to Versailles to solicit his enlargement Count Vergennes refused to see them. It must be observed that Mr. Lee had nothing to do with the business at Dunkirk; he was at Berlin when it was contrived and executed, and had not been long returned to Paris when Mr. Hodge was sent to prison. The commissioners were reduced to the necessity of getting Mr. Grand, their banker, to write to the secretary of state about Mr. Hodge, and the enclosed paper, No. 6, is an extract from his answer. Perhaps Dr. Franklin may say that he had nothing to do with the Dunkirk business. His tricks are in general carried on with so much cunning that it is extremely difficult to fix them on him. If he had nothing to do with it he should

show who it was that brought such disgrace and danger upon his country. It is certain that the persons who were the most ostensible in it were, and still are, his bosom friends. The French court were so irritated that I firmly believe if it had not been for the success of the military operations in America we should have been all driven out of this kingdom.] *

The English newspapers have given us the proceedings of Congress on the 22d of April respecting the conciliatory bills. I am very anxious to know what reception the commissioners have met with and the extent of their powers. It is much to be lamented that they have not been enabled by parliamentary authority to acknowledge the independence. The ministry are fully convinced themselves that nothing else will do, and yet they continue to act under the same dreadful infatuation which has already produced so many calamities to their country, and refuse to adopt any measures, however salutary, till it is too late, I most ardently wish for peace, provided it can be obtained upon terms which Congress may think proper to be accepted.

Mr. William Lee has been some weeks at Vienna. He writes me that the French ambassador advises him "to wait there with patience till the prospect of things open a little more than they do at present." I have informed you in several of my letters that my reception in Tuscany depends entirely upon the proceedings at the court of Vienna. The Emperor and the King of Prussia are each at the head of a powerful army in Silesia, and within a few miles of one another. A negotiation has been for several weeks constantly carrying on with respect to the succession of Bavaria, and it is astonishing that nothing is yet concluded. Each of those princes has two hundred and fifty thousand regular troops, and more are continually raising. The emperor has, besides, the Hungarian nobility and their dependents, who may upon occasion be called upon to serve. They are supposed to form a body of about three hundred thousand men, and may be looked upon as militia.

The King of Prussia, although negotiating with the emperor, is not idle in other matters. He is using his utmost endeavors to excite the northern powers to join him against the house of Austria, and if he succeeds in bringing about an accommodation between the Russians and the Turks, the Czarina will certainly afford him very powerful assistance. Whether either the Emperor or the King of Prussia will be connected with England does not yet appear. Neither of them seems inclined to offend her at present. The troubles in Germany have certainly produced this effect on the King of Prussia, for he made the clearest declaration, before the death of the Elector of Bavaria, that he would be the second power in Europe to acknowledge the independence of America.

I am, dear sir, etc.,

RALPH IZARD.

* Passages in brackets omitted in Sparks' ed.

Franklin to Weissenstein.*

PASSY, July 1, 1778.

SIR: I received your letter dated at Brussels the 16th past. My vanity might possibly be flattered by your expressions of compliment to my understanding, if your *proposals* did not more clearly manifest a mean opinion of it.

You conjure me in the name of the omniscient and just God before whom I must appear, and by my hopes of future fame, to consider if some expedient can not be found to put a stop to the desolation of America and prevent the miseries of a general war. As I am conscious of having taken every step in my power to prevent the breach, and no one to widen it, I can cheerfully appear before that God, fearing nothing from his justice in this particular, though I have much occasion for his mercy in many others. As to my future fame, I am content to rest it on my past and present conduct, without seeking an addition to it in the crooked, dark paths you propose to me, where I should most certainly lose it. This your solemn address would therefore have been more properly made to your sovereign and his venal Parliament. He and they who wickedly began, and madly continue, a war for the desolation of America are alone accountable for the consequences.

You endeavor to impress me with a bad opinion of French faith; but the instances of their friendly endeavors to serve a race of weak princes, who, by their own imprudence, defeated every attempt to promote their interest, weigh but little with me, when I consider the steady friendship of France to the thirteen united states of Switzerland, which has now continued inviolate two hundred years. You tell me that she will certainly cheat us, and that she despises us already. I do not believe that she will cheat us, and I am not certain that she despises us; but I see clearly that you are endeavoring to cheat us by your conciliatory bills; that you actually despised our understandings when you flattered yourselves those artifices would succeed, and that not only France, but all Europe, yourselves included, most certainly and forever would despise us if we were weak enough to accept your insidious propositions.

Our expectations of the future grandeur of America are not so magnificent, and therefore not so vain or visionary, as you represent them to be. The body of our people are not merchants, but humble husbandmen, who delight in the cultivation of their lands, which, for their fertility and the variety of our climates, are capable of furnishing all the necessaries and conveniences of life without external commerce; and we have too much land to have the least temptation to extend our territory by conquest from peaceable neighbors, as well as too much justice to think of it. Our militia, you find by experience, are sufficient to defend our lands from invasion, and the commerce with us will be defended by all the nations who find an advantage in it. We therefore

*2 Sparks' Dip. Rev. Corr., 34; 6 Bigelow's Franklin, 187; 8 Sparks' Franklin, 278.

have not the occasion you imagine of fleets or standing armies, but may leave those expensive machines to be maintained for the pomp of princes and the wealth of ancient states. We propose, if possible, to live in peace with all mankind; and after you have been convinced to your cost that there is nothing to be got by attacking us, we have reason to hope that no other power will judge it prudent to quarrel with us, lest they divert us from our own quiet industry and turn us into corsairs preying upon theirs. The weight, therefore, of an independent empire, which you seem certain of our inability to bear, will not be so great as you imagine. The expense of our civil government we have always borne, and can easily bear, because it is small. A virtuous and laborious people may be cheaply governed. Determining, as we do, to have no offices of profit, or any sinecures or useless appointments, so common in ancient or corrupted states, we can govern ourselves a year for the sum you pay in a single department, or for what one jobbing contractor, by the favor of a minister, can cheat you out of in a single article.

You think we flatter ourselves, and are deceived into an opinion that England must acknowledge our independency. We, on the other hand, think you flatter yourselves in imagining such an acknowledgment a vast boon, which we strongly desire, and which you may gain some great advantage by granting or withholding. We have never asked it of you; we only tell you that you can have no treaty with us but as an independent State; and you may please yourselves and your children with the rattle of your right to govern us as long as you have done with that of your king's being King of France, without giving us the least concern, if you do not attempt to exercise it. That this pretended right is indisputable, as you say, we utterly deny. Your Parliament never had a right to govern us, and your king has forfeited it by his bloody tyranny. But I thank you for letting me know a little of your mind, that, even if the Parliament should acknowledge our independency, the act would not be binding to posterity, and that your nation would resume and prosecute the claim as soon as they found it convenient from the influence of your passions and your present malice against us. We suspected before that you would not be actually bound by your conciliatory acts longer than till they had served their purpose of inducing us to disband our forces; but we were not certain that you were knaves by principle, and that we ought not to have the least confidence in your offers, promises, or treaties, though confirmed by Parliament.

I now indeed recollect my being informed, long since, when in England, that a certain very great personage, then young, studied much a certain book called "Arcana Imperii." I had the curiosity to procure the book and read it. There are sensible and good things in it, but some bad ones; for, if I remember rightly, a particular king is applauded for his politically exciting a rebellion among his subjects at a

time when they had not strength to support it, that he might, in subduing them, take away their privileges, which were troublesome to him ; and a question is formally stated and discussed, *whether a prince who, to appease a revolt, makes promise of indemnity to the revolters, is obliged to fulfill those promises.* Honest and good men would say aye ; but this politician says, as you say, no. And he gives this pretty reason, that, though it was right to make the promises, because otherwise the revolt would not be suppressed, yet it would be wrong to keep them, because revolters ought to be punished, to deter from future revolts.

If these are the principles of your nation, no confidence can be placed in you ; it is in vain to treat with you ; and the wars can only end in being reduced to an utter inability of continuing them.

One main drift of your letter seems to be to impress me with an idea of your own impartiality by just censures of your ministers and measures, and to draw from me propositions of peace, or approbation of those you have enclosed to me, which you intimate may by your means be conveyed to the king directly, without the intervention of those ministers. You would have me give them to, or drop them for, a stranger whom I may find next Monday in the church of Notre Dame, to be known by a rose in his hat. You yourself, sir, are quite unknown to me ; you have not trusted me with your true name. Our taking the least step towards a treaty with England through you might, if you are an enemy, be made use of to ruin us with our new and good friends. I may be indiscreet enough in many things, but certainly if I were disposed to make propositions (which I can not do, having none committed to me to make), I should never think of delivering them to the Lord knows who, to be carried the Lord knows where, to serve no one knows what purposes. Being at this time one of the most remarkable figures in Paris, even my appearance in the church of Notre Dame, where I can not have any conceivable business, and especially being seen to leave or drop any letter to any person there, would be a matter of some speculation, and might, from the suspicions it must naturally give, have very mischievous consequences to our credit here.

The very proposing of a correspondence so to be managed, in a manner not necessary where fair dealing is intended, gives just reason to suppose you intend the contrary. Besides, as your court has sent commissioners to treat with the Congress, with all the powers that could be given them by the crown under the act of Parliament, what good purpose can be served by privately obtaining propositions from us ? Before those commissioners went, we might have treated in virtue of our general powers (with the knowledge, advice, and approbation of our friends) upon any propositions made to us. But under the present circumstances, for us to make propositions while a treaty is supposed to be actually on foot with the Congress, would be extremely improper,

highly presumptuous with regard to our constituents, and answer no good end whatever.

I write this letter to you notwithstanding (which I think I can convey in a less mysterious manner, and guess it may come to your hands); I write it, because I would let you know our sense of your procedure, which appears as insidious as that of your conciliatory bills. Your true way to obtain peace, if your ministers desire it, is to propose openly to the Congress fair and equal terms, and you may possibly come sooner to such a resolution when you find that personal flatteries, general cajolings, and panegyrics on our *virtue* and *wisdom* are not likely to have the effect you seem to expect; the persuading us to act basely and foolishly in betraying our country and posterity into the hands of our most bitter enemies, giving up or selling our arms and warlike stores, dismissing our ships of war and troops, and putting those enemies in possession of our forts and ports.

This proposition of delivering ourselves, bound and gagged ready for hanging, without even a right to complain, and without a friend to be found afterwards among all mankind, you would have us embrace upon the faith of an act of Parliament! Good God! An act of your Parliament! This demonstrates that you do not yet know us, and that you fancy we do not know you. But it is not merely this flimsy faith that we are to act upon; you offer us *hope*, the hope of *places, pensions, and peerages*. These, judging from yourselves, you think are motives irresistible. This offer to corrupt us, sir, is with me your credential, and convinces me that you are not a private volunteer in your application. It bears the stamp of British court character. It is even the signature of your king. But think for a moment in what light it must be viewed in America. By *places*, you mean places among us, for you take care by a special article to secure your own to yourselves. We must then pay the salaries in order to enrich ourselves with these places. But you will give us *pensions*, probably to be paid, too, out of your expected American revenue, and which none of us can accept without deserving, and perhaps obtaining a *sus-pension*. *Peerages!* alas! sir, our long observation of the vast servile majority of your peers, voting constantly for every measure proposed by a minister, however weak or wicked, leaves us small respect for that title. We consider it as a sort of *tar-and-feather* honor, or a mixture of foulness and folly, which every man among us, who should accept it from your king, would be obliged to renounce or exchange for that conferred by the mobs of their own country, or wear it with everlasting infamy.

I am, sir, your humble servant,

B. FRANKLIN.*

* Weissenstein's letter, to which the above is an answer, is given in full in Sparks' MSS. at Harvard College, vol. 49, pt. 1, p. 86. It is dated Bruxelles, June 16, 1778, and, with the appendices, containing plans of accommodation and of government, contains 20 pages of folio. The drift of it is to induce a separate treaty of America

A. Lee to the Committee of Foreign Affairs.*

PARIS, July 1, 1778.

GENTLEMEN: I enclose you some extracts, by which you will see that war is not yet declared, though on all hands it appears to be fast approaching.

The Spanish floatilla is not yet arrived, nor their fleet from South America. Since my last, a French frigate of twenty-six guns was attacked

with England, based on confederation between the two powers. Of Weissenstein's letter Sparks says: "The originals are written in a disguised handwriting, with occasional interlineations in a different hand, so that more than one person was acquainted with the contents. Dr. Franklin attached some degree of importance to these papers, because he believed them to have been seen and approved by the British ministry." The envelope is addressed: "To Dr. Benjamin Franklin, etc., etc., etc., secret and confidential. Read this in private and before you look at other papers, but don't be imprudent enough to let any one see it before you have considered it thoroughly."

A report of a detective sent by the French Government to investigate "Weissenstein" will be found in the Lee Papers in the Harvard library, under date of July 7, 1778. (See 8 Sparks' Franklin, 278; 3 Life of J. Adams, 178.)

Of the letter to which this is a reply Mr. Parton (2 Life of Franklin, 3299) thus speaks:

"On a morning in June (1778) a packet was thrown into a window at Passy, which proved to be a long letter, addressed to Dr. Franklin, written in the English language, but dated 'Brussels, June 16,' and signed 'Charles de Weissenstein.' The English, moreover, was not the English of a foreigner; the letter was evidently a home product, and, as Franklin thought, from the king himself—certainly written with the king's knowledge and consent." What makes this hypothesis probable is the singular similarity of the style and argument of this letter with the subsequent "intercepted" letters of Silas Deane, which, as we now know by George III's correspondence, were got up at least under the supervision of agents of the court. Mr. Bigelow (6, Works of Franklin, 187) says:

"Dr. Franklin received a long letter from a man who signed himself Charles de Weissenstein. The letter was dated Brussels, June 16, 1778, and written in English. The writer was evidently a secret agent from England, instructed to procure from Dr. Franklin some kind of propositions for a peace. The name was doubtless assumed; and although the letter was dated at Brussels, it was probably written in Paris.

"The contents of the letter, considering the source in which it must have originated, are curious and remarkable. The writer begins by urging the impossibility that England should ever acknowledge the independence of the Colonies, and the certainty that France would deceive and betray them. He, moreover, adds, that, in case Parliament should be induced to acknowledge their independence, the people of England would not approve it and posterity would never submit to it. 'Our title to the empire,' said he, is 'indisputable; it will be asserted, either by ourselves or successors, whenever occasion presents. We may stop awhile in our pursuit to recover breath, but shall assuredly resume our career again.'

"He then proceeds at much length to state a plan of reconciliation and the outline of the future government in America. In the plan is the following extraordinary article: 'As the conspicuous public part which some American gentlemen have taken may expose them to the personal enmity of some of the chief persons in Great Britain, and as it is unreasonable that their services to their country should deprive them of those advantages which their talents would otherwise have gained them, the

* 1 Sparks' Dip. Rev. Corr., 505.

by an English frigate of twenty-eight off Brest, and after an obstinate engagement the latter made off, and soon after sunk. This has given great spirits to the French marine and nation, and is more especially fortunate, as the English were the aggressors. Admiral Keppel is before Brest, with twenty-three sail of the line, where I believe he will not remain long unattacked. Permission is given to French subjects to fit out privateers; and orders are sent to all the ports to prepare our prizes to be sold. From London the ministry have offered us an exchange of prisoners, which we are taking the necessary measures to embrace.

By some unaccountable neglect, the person to whom Dr. Franklin committed the printing of the bills resolved on for the loan has not

following persons shall have *offices or pensions for life*, at their option, namely: Franklin, Washington, Adams, Hancock, etc. In case His majesty or his successor should ever create American peers, then these persons or their descendants shall be among the first created, if they choose it; Mr. Washington to have immediately a brevet of lieutenant-general, and all the honors and precedence incident thereto, but not to assume or bear any command without a special warrant or letter of service for that purpose from the king.'

"In the outlines of government it is provided that each Colony shall choose its own form and have legislatures, but that all officers must swear allegiance to the Crown and Parliament of Great Britain; that no American shall enjoy any office of trust or profit in Great Britain without a special act of Parliament for that purpose; in every other respect they are to enjoy the privileges of natural-born Englishmen. That 'the judges of the courts shall be named by the king, and hold their offices for life, and shall either bear titles as peers of America or otherwise, as shall be decided by his majesty; that a congress shall assemble once in seven years or oftener if his majesty thinks fit to summon it, but all its proceedings are to be transmitted to the British Parliament, without whose consent no money shall ever be granted by congress or any separate State to the crown; that the great offices of state shall be named in the compact, and that America shall provide for them; that the whole naval and military force shall be directed by his majesty; that the British Parliament shall fix the naval and military force, and vote the sums necessary for its maintenance, both by sea and land, and make laws for its regulation; that a tariff of duties shall be fixed which shall not be changed without the mutual consent of both the Parliament of Great Britain and the Colony where the change is intended to be made; that British manufacturers shall always have the preference over those of other nations, and that no new taxes shall ever be imposed on them without the previous consent of the Parliament of Great Britain.'

"Such are some of the features of the scheme proposed by this private agent. Dr. Franklin understood it to proceed from high authority and framed his answer accordingly. He sent the agent's letter to the Count de Vergennes, with a copy of his answer. They are now in the *Archives des Affaires Etrangères* in Paris, where the above extract was taken from the original, and where also a copy of Dr. Franklin's answer was obtained by Mr. Sparks. John Adams, in his diary, says the reply was submitted to the Count de Vergennes, but was never sent to Weissenstein. On the day, hour, and place appointed to meet the messenger for a conference the police reported the appearance of a man who walked about the place for a couple of hours, always keeping the place of rendezvous in sight and then disappeared. Adams says they decided that the whole matter was too futile to be worth reporting to Congress. For the same reason, possibly, the answer of Franklin was not sent to Weissenstein. It was fortunate that this futility was not discovered until after Franklin's letter was written."

furnished them, so that nothing further is yet done in that business. But I hope you will soon have news of its further progress, and that some event will happen to furnish us with a very favorable moment for its execution.

I have the honor to be, etc.,

ARTHUR LEE.

Franklin to Grand.

JULY 3, 1778.

Mr. Franklin presents his respects to Mr. Grand, and sends him the original letter of which he has spoken. In another, Mr. Bingham says that the slightest pretext suffices nowadays for the English to seize and condemn goods of French merchants, who can not even transport the products of America from one island to another without running the greatest risks. In effect, many ships have been taken lately into Dominique for the sole reason that they were the productions of America.

It is to be remarked that before these difficulties the French merchants could purchase tobacco, rice, etc., from the Americans of the continent to be taken into France. If I am not mistaken, it is provided in the treaties that the ship of a friend protects the merchandise even of an enemy. Much more ought it to guaranty your own merchandise previously purchased from this enemy.

Mr. Bingham also says that the court of admiralty at Dominique is constituted on such iniquitous principles that it encourages condemnations, the judges receiving a portion of the condemned merchandise, so that one can hardly hope to save the property, the fate of which depends upon their judgment.

Franklin's Memoranda for M. Rayneval to Communicate to Vergennes.*

PASSY, July 6, 1778.

It seems to have been insinuated, either through mistake or ill-will to the United States,

(1) That their merchants have combined to depreciate the bills drawn on France;

(2) That their trade with England is as great as before the war.

I have known two instances when bills of exchange on England have fallen more than 15 per cent. lower than the present price of bills on France.

The first was in 1739, when an expedition being projected against Carthagena, the Government of England ordered 3,000 men to be

* MSS. Dep. of State; 6 Bigelow's Franklin, 196.

† Franklin's MSS., Dep. of State.

raised in America, and transports, with provisions, etc., to be furnished, for the amount of which expense bills were ordered to be drawn on the treasury at London. This [adventitious] quantity of bills coming into market, and being more than the common course of the commerce required, occasioned the lowering of their price 42½ per cent. below the rate before accustomed.

The like happened a few years after, when on a prospect of short crops of corn in Europe, orders were received in America to purchase and send over vast quantities, and to draw bills and sell them in the country in order to raise money for the purchase. This sudden addition to the quantity of bills produced a fall of 46 per cent. in their price. And this must always happen in some proportion, when the quantity of any article in Commerce exceeds the present demand.

And when it is considered that the merchants of America are numerous, and dispersed through thirteen different provinces, at great distances from each other, such a combination will appear as improbable as that the farmers in France should combine to raise the price of wheat.

With regard to the English commerce, there is none certainly but what is contraband, and there can be no temptation to such contraband, but for particular commodities that are cheaper there than in France. The quantity, therefore, can not be great. Such contraband is found difficult to prevent in all countries. It is carried on at this time between France and England. But there are many commodities much cheaper in France, such as wines, silks, oil, modes, etc., which will be of great consumption in America; and when correspondencies are once settled, and the people there become acquainted with the manufactures of France, the demand for them will increase, those manufactures will, of course, be improved in goodness and cheapness, and the trade continue to augment accordingly.

It is difficult to change suddenly the whole current of connections, correspondencies, and confidences that subsist between merchants, and carry them all into a new channel. But time and a continuance of friendship will make great alterations.

PASSY, July 6.

NOTE.—The above paper was delivered this day to M. de Rayneval, to be by him communicated to Count Vergennes, in order to correct some wrong ideas of that minister.

D'Estaing to the President of Congress.*

AT SEA, July 8, 1778.

SIR: I have the honor of informing your excellency, and by you of giving notice to Congress, of the arrival of the squadron of the king upon the shores of the United States of America.

* MSS. Dep. State; 5 Sparks' Dip. Rev. Corr., 557.

Honored with full powers from the king to treat with Congress, I have the honor, sir, of sending to your excellency the copy of my credentials relating to this subject, the honor of presenting them myself; my desire to wait upon the respectable representatives of a free nation, my eagerness to reverence in them the noble qualities of wisdom and firmness which distinguish them, virtues which all Europe admires and which France loves, are a happiness which can be delayed only by my desire to render myself worthy of the favors of the United States, while I begin by performing the duties which circumstances and my military functions impose upon me. I hope that they will serve as my excuse, and that your excellency will have the kindness to offer them as such to Congress.

I have the honor of writing to his excellency General Washington, and shall have that of sending to his headquarters two officers in succession, in order to offer to him to combine my movements with his own. The merited reputation which so great a soldier has so justly acquired does not allow me to doubt that he is convinced better than any one else of the value of the first movements. I hope that the authority vested in him by Congress has allowed him the liberty of taking advantage of them, and that we shall be able immediately, and without any delay, to act in concert for the benefit of the common cause, which seemed to me to require that the orders of Congress should remove as speedily as possible the legal difficulties, of which perhaps there are none.

Monsieur de Chouin, major of infantry, and relation of M. de Sartine, is charged with delivering this letter to your excellency; he is one of the officers whom I send to General Washington.

The readiness with which his excellency M. Gerard, minister plenipotentiary of the king, is hastening to take up his residence near Congress, and there to display the character with which his majesty has invested him, will prevent all the delays which my distance might occasion with regard to the military agreements. I have the honor of assuring your excellency that I shall make it my duty and pleasure to execute everything that M. Gerard shall promise. The promises which he will make to you will need no other ratification on my part than those which my physical force demands, and which the nature of the profession makes necessarily to depend upon the military or naval force which is in operation.

A minister so happy as to have had the glory of signing the treaty which unites two powers whose interests are so intimately connected will preserve the most important influence upon my further designs. The escort which conducts him, that by which the king sends back to the United States his excellency, Silas Deane, is, undoubtedly, the most brilliant which has ever accompanied ambassadors. I dare hope that it will prove useful to the mutual interest of the two nations.

That will be the happiest moment of my life in which I shall be able to contribute to it in anything. I shall, at the same time, fulfill my duty as an officer charged with the orders of his majesty, and I shall satisfy my principles and my inclination as an individual.

I have the honor to be, etc.

ESTAING.

P. S.—Permit me to recommend to the favor of Congress Messrs. John Nicholson, Elias Johnson, and Henry Johnson. Mr. Nicholson preserved the ship *Tonnant*, which is the second in the squadron, and Mr. Elias Johnson conducted himself with the greatest zeal and the greatest bravery on board the frigate *Engageante* in the engagement in which she took the privateer *Rose*, in the Chesapeake Bay.

Adams to Lovell.*

PASSY, July 9, 1778.

MY DEAR FRIEND: I had yesterday the honor of receiving the dispatches from Congress, which were sent by the *Saratoga* from Baltimore, arrived at Nantes, convoyed in by the *Boston*, Captain Tucker (who was returning from a short cruise, and who has sent in four prizes), and those by the *Spy*, from New London, arrived at Brest, and the inexpressible pleasure of your private letters by the same vessels. You acquaint me that you had written to me eight or nine times, which has given me some anxiety, as these letters are the first I have received from you or from any member of Congress since my arrival in France.

The ratification of the treaty gives universal joy to this court and nation, who seem to be sincerely and deeply rejoiced at this connection between the two countries.

There is no declaration of war as yet at London or Versailles, but the ships of the two nations are often fighting at sea, and there is not the smallest doubt but war will be declared, unless Britain should miraculously have wisdom given her to make a treaty with the Congress like that which France has made. Spain has not made a treaty; but be not deceived nor intimidated; all is safe in that quarter.

The unforeseen dispute in Bavaria has made the Empress Queen and King of Prussia cautious of quarreling with Great Britain, because her connection with a number of the German princes, whose aid each of those potentates is soliciting, makes her friendship, or at least her neutrality, in the German war of importance to each. But this will do no hurt to America.

You have drawn so many bills of exchange upon us and sent us so many frigates, every one of which costs us a large sum of money, so many merchandises and munitions of war have been sent, whether arrived or

* 2 Sparks' Dip. Rev. Corr., 543.

not, and we expect so many more drafts upon us, that I assure you I am very uneasy concerning our finances here. We are laboring to hire money, and have some prospect of success, but I am afraid not for such sums as will be wanted.

Let me entreat you to omit no opportunity of writing to me; send me all the newspapers, journals, etc.; and believe me your friend and servant.

JOHN ADAMS.

Deane to the President of Congress.*

DELAWARE BAY, July 10, 1778.

SIR: I have now the pleasure of acquainting your excellency of my arrival here yesterday, on board the *Languedoc*, commanded by his excellency Count d'Estaing, with a fleet of twelve sail of the line and four frigates. We sailed from Toulon the 10th of April last. I presume, therefore, that I have no intelligence from Europe so late as what you must be possessed of already. Finding that the enemy had escaped, the admiral resolved instantly to pursue them to New York, and will sail this morning for that port, but he has no pilot. If, therefore, pilots can be sent to meet him on his arrival, it will be of the utmost service to the expedition. I shall embark this afternoon, in company with his excellency Monsieur Gerard, for Philadelphia, and hope soon to have the honor of paying my respects to your excellency and the honorable Congress in person, and to congratulate you on the late glorious events. I have sent Commodore Nicholson express, who can inform you of our situation. Permit me to recommend him as an active, spirited officer, to whom the admiral has been much obliged by his services during our passage.

I have the honor to be, with the most profound respect, your excellency's most obedient and very humble servant,

SILAS DEANE.

P. S.—His excellency the admiral desires that, on the arrival of the pilots at the Hook, where they will find his fleet, they would make a signal with a white flag, either on board their boat, if they have one, or from the shore, formed in a triangle. Monsieur Chouen, who will wait on you with a letter from the admiral, sets out suddenly, and may want money to bear his expenses on his further journey. Monsieur Gerard desires he may be supplied on his account with any sum to the amount of twenty thousand livres.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 90.

Resolves of Congress respecting the Count d'Estaing's letter and the reception of M. Gerard.*

IN CONGRESS, July 11, 1778.

Resolved, That General Washington be informed by the President that it is the desire of Congress that he coöperate with the Count d'Estaing, commander of a French squadron now on the coast of North America, and proceeding to New York, in the execution of such offensive operations against the enemy as they shall mutually approve.

His most Christian majesty the King of France having thought proper to send on the coasts a powerful fleet, in order to coöperate with the forces of these States in the reduction of the British army and navy—

Resolved, That General Washington be empowered to call on the States of New Hampshire; Massachusetts Bay, Connecticut, Rhode Island, New York, New Jersey, or such of them as he shall judge proper, for such aids of their militia as he shall think requisite for carrying on his operations, in concert with Count d'Estaing, commander of the French fleet; and that it be earnestly recommended to the above mentioned to exert themselves in forwarding the force which may be required of them with the utmost dispatch.

Resolved, That the marine committee be directed to order the commissioners of the navy to the eastward to fit out as many Continental frigates and armed vessels as possible, with the utmost dispatch, to join the French squadron in their operations against the enemy.

Ordered, That the board of war take measures for providing a suitable house for the accommodation of M. Gerard; and that they give the necessary orders for receiving M. Gerard with proper honor on his arrival.

Resolved, That a committee of five be appointed to wait on M. Gerard on his arrival, and conduct him to his lodgings.

The members chosen: Mr. Hancock, Mr. Lee, Mr. Drayton, Mr. Roberdeau, and Mr. Duer.

Next morning the committee went to Chester to meet M. Gerard, who received them on board the frigate. In going on board they were saluted with fifteen guns. They then went on shore and waited on him to Philadelphia, and conducted him to General Arnold's headquarters, where a dinner was provided for him and his suit, and a number of the members of Congress. Before dinner he waited on the President.

On Tuesday he delivered to the President sundry papers to be laid before Congress,† desiring to know in what capacity Congress were willing to receive him; whether as minister plenipotentiary or resident, intimating that in whatever quality he was received, it would be expected that the commissioners from the States at the court of France should be vested with the same.

* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 559.

† Letters from the King and notes of M. Gerard.

JULY 14, 1778.

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Franklin to Hartley.*

PASSY, July 13, 1778.

DEAR SIR: Enclosed is the list of our prisoners, which by an accident was long in coming to us. There are supposed to be about fifteen more remaining in the hospital, whose names we have not yet obtained, and about as many who, being recovered of their wounds, have been suffered to go home to England. If you continue in the opinion of making the exchange at Calais, you will send us the papers necessary to secure the vessel that shall transport the men from the ports where they are to that place against capture; as the marching them thither would be attended with great inconveniences, and many of them might desert on the way from an apprehension of being put on board men-of-war on their arrival in England.

Sartine to the Commissioners.

[Translation.]

VERSAILLES, July 14, 1778.

GENTLEMEN: Notwithstanding the precautions which I have taken to supply the inhabitants of the islands of St. Pierre and Miquelon with provisions for their subsistence, who in their present circumstances can receive very small or no succor from the commerce with France, it may happen that the intervention of one or more of the vessels sent to those islands with provisions may reduce the people to great distress, and it will be too late to apply a remedy after the knowledge of the event shall reach us. I have thought that, in case of pressing necessity, we might count on supplies from the United States of America, and have indicated the same to the administrators of the islands of St. Pierre and Miquelon. It will be highly agreeable to his majesty if you should concur in this opinion, and do what may be in your power to procure such succor, by recommending to the United States, and particularly to the government of Boston, to induce the fitting out of expeditions to those isles, for the purpose of taking provisions to the inhabitants and supplying their wants.

I have the honor to be, etc.,

DE SARTINE.

Gerard to the President of Congress.

[Translation.]

PHILADELPHIA, July 14, 1778.

SIR: His excellency the Count d'Estaing, vice-admiral of France, commander of the squadron of the King, being desirous to procure for the armed vessels, whether public or private, of the United States, the

* MSS. Dep. of State; 6 Bigelow's Franklin, 197.

† 1 Sparks' Dip. Rev. Corr., 294.

‡ MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 560.

means of availing themselves of the operations of this squadron, in order to take prizes from the common enemy, the undersigned has the honor to inform Congress that all their armed vessels will enjoy the most extended protection of the squadron of his Most Christian Majesty, and that the prizes which they may be able to take will belong entirely to them. He leaves it to the wisdom of Congress to fix upon the means of deriving from this arrangement the advantage from which it is susceptible. The American vessels which shall apply to his excellency the vice-admiral will receive the signals which will be necessary; and the undersigned will successively communicate them to Congress, that information of them may be given to those who shall sail from the ports. He relies on the prudence of Congress in relation to the measures necessary to insure success in this matter.

GERARD.

Gerard to the President of Congress.*

[Translation.]

PHILADELPHIA, July 14, 1778.

SIR: The squadron which the king, my master, has sent, in order to act in concert with the United States against the common enemy, having taken some prisoners during its passage, the keeping of whom on board of the vessels would be embarrassing and even dangerous, the undersigned requests the Congress of the said United States to have the goodness to cause these prisoners, as well as those whom the king's squadron shall be able to take in the course of its operations, to be received, to cause provision to be made for their safekeeping and subsistence, in the same manner as that which it makes use of for its own prisoners, and to hold them at the disposal of the king, and subject to the orders of his excellency the Count d'Estaing, vice-admiral of France and commander of his majesty's squadron.

The undersigned will take care to cause all the expenses incurred on this occasion to be reimbursed at certain periods in such manner as the Congress shall be pleased to point out.†

GERARD.

* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 561.

† Congress took into consideration the memorial respecting prisoners, and therenpon

"Resolved, That all prisoners taken, or which may be taken, by the squadron of his most Christian majesty, under the command of the Count d'Estaing, vice admiral of France, be received by the commissary-general of prisoners, and that he provide for their safe custody and subsistence in like manner as has been usual for the prisoners of these States. That he make monthly returns of all prisoners which shall be by him so received to the board of war. That he make monthly returns to the treasury of the accounts of all moneys expended for the purposes aforesaid, and that the prisoners be held at the disposal of his most Christian majesty, and subject to the orders of his excellency Count d'Estaing.

"Ordered, That the paper relative to the encouragement given by the Count d'Estaing to American armed vessels, whether public or private, be published."—SPARKS.

Franklin, Lee, and Adams to Sartine.*

PASSY, July 16, 1778.

SIR: We have the honor of your excellency's letter of the 14th instant. We shall embrace the first opportunity of writing to Congress and to the government of the Massachusetts Bay, and enclosing copies of your excellency's letter to us, which we are persuaded will have the most powerful influence with them to exert themselves, and to recommend to their fellow-citizens to engage in expeditions for the relief of the inhabitants of St. Pierre and Miquelon. There is not the smallest doubt of their ability to supply the wants of their friends at those places, provided the British men-of-war should be withdrawn from the Halifax and Newfoundland stations. But if there should remain as many ships of war on those stations as there have been for the last two years, the difficulty will be very great.

We have the honor to enclose to your excellency a copy of a letter just received from Mr. Schweighauser, whereby your excellency will see the difficulties that still embarrass our frigates in relation to their prizes. We entreat your excellency's further attention to the subject, that orders may be given for the relief of our officers and men from these embarrassments.

We have the honor to request your excellency's attention to another subject, that of the British prisoners made by our frigates, the *Providence*, the *Boston*, and the *Ranger*, and all others in future. As it is necessary for these frigates forthwith to proceed to sea, and as we have some hopes of an exchange of prisoners in Europe, we request your excellency that we may have leave to confine them in your prisons, to be maintained there at our expense until exchanged or sent by us to America, and that your excellency would give the necessary directions accordingly.

We have the honor to be, with respect, your excellency's, etc.,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

Franklin, Lee, and Adams to the Council of Massachusetts Bay.†

PASSY, July 16, 1778.

May it please your honors, we have the honor to enclose a copy of a letter just received from M. de Sartine, the minister of state for the marine of this kingdom, in answer to which we have had the honor to assure his excellency that we would embrace the first opportunity of communicating it to your honors. We have not the smallest doubts of the good inclinations of the people in America to supply the neces-

* 1 Sparks' Dip. Rev. Corr., 295.

† 1 Sparks' Dip. Rev. Corr., 296.

sities of their friends in St. Pierre and Miquelon, nor of the abilities of those in the Northern States to do it effectually, provided the British men-of-war are withdrawn from the Halifax and Newfoundland stations, and perhaps it may be done, notwithstanding the dangers of men-of-war. We hope, however, it will be attempted. There is no doubt but a good price may be obtained, at the same time that an acceptable act of friendship and of humanity will be performed.

We have the honor to request that this letter and its enclosure may be laid before the general court, and that such measures may be taken as their wisdom shall dictate to the accomplishment of so desirable a purpose.

We have the honor to be, etc.,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

Franklin, Lee, and Adams to Vergennes.*

PASSY, July 17, 1778.

SIR: We herewith communicate to your excellency a resolution of Congress, relative to the treaties, which we request may be laid before the king. Thereby his majesty will perceive the unfeigned sentiments of that body, as well as the whole American people, whose hearts the king has gained by his great benevolence towards them, manifested in these treaties, which has made so deep an impression on their minds that no time will efface it.

We have the honor to be, etc.,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

A. Lee to d'Aranda.†

Mr. Lee presents his respects to his excellency Count d'Aranda, and begs he will have the goodness to forward the packet addressed to Count de Florida Blanca, which he has the honor of enclosing him, and which is on business of the last importance, by the first opportunity to his court.

* 1 Sparks' Dip. Rev. Corr., 296.

† *Ibid.* 506.

A. Lee to Florida Blanca.*

PARIS, July 18, 1778.

SIR: I have the honor of transmitting to your excellency the enclosed resolutions of Congress,† with my most earnest prayer that they may be laid immediately before the king. Nothing but the uncommon exigency of the present war, attended with such peculiar circumstances with regard to the United States, would prevail upon them to press so much upon his majesty's goodness. That necessity must also plead my pardon for entreating your excellency to let me have as early an answer as possible. As the United States have the highest confidence in the friendship of the king, they promise themselves that his goodness will afford this loan as a relief to their most urgent distresses. With regard to the interest for the quantum of that, they refer themselves to his majesty's justice. Five per cent. is legal interest with them, but I am authorized to give six if his majesty should desire it.

This interest will be most punctually paid; and they will neglect no means of liquidating the principal, if desired, sooner than the stipulated time, which will be easily accomplished, when peace or some other employment of the enemy's navy than that of preying upon their trade will permit the export of their produce to European markets.

Your excellency will perceive that this loan is appropriated to sinking the paper money which necessity obliged Congress to issue. An infant and unprepared people, compelled to defend themselves against an old, opulent, powerful, and well-appointed nation, were driven to this resource of issuing paper. They were to create armies and navies, to fortify towns, erect forts, defend rivers, and establish governments, besides the immense expense of maintaining a war, that pressed them powerfully on all sides. For these purposes they had neither funds

*1 Sparks' Dip. Rev. Corr., 506.

†*"IN CONGRESS, December 3, 1777.*

"The great quantity of paper money issued to defray the necessary expenses of the war having at length become so considerable as to endanger its credit, and Congress apprehending that the slow operation of taxes may not be adequate to the prevention of an evil so pernicious in its consequences, and as experience proves that the method of paying the interest by bills on France does not fill the loan office so fast as the urgent calls of war demand,

"Resolved, That the commissioners at the courts of France and Spain be directed to exert their utmost endeavors to obtain a loan of two millions sterling on the faith of the United States, for a term not less than ten years, with permission, if practicable, to pay the same sooner if it shall be agreeable to these States, giving twelve months' previous notice to the lender of such intention to return the money. That the commissioners be instructed to consider the money hereby directed to be borrowed as a fund to be applied, unless Congress direct otherwise, solely to the purpose of answering such drafts as Congress shall make for the purpose of lessening the sum of paper money in circulation.

"That in order more effectually to answer the good purposes intended by this plan, the commissioners be also instructed to keep as secret as the nature of the thing will admit whatever loan they shall be able to obtain for this purpose on account of the United States."—SPARKS.

established, taxes imposed, specie in their country, nor commerce to introduce it. In this exigency paper money was their only resource, and not having been able hitherto for the same reasons to redeem it, the depreciation which necessarily followed threatens the total destruction of their credit, and consequently their only means of maintaining their independence.

In this distress their hope is fixed upon his majesty, and I most earnestly beseech your excellency so to represent our situation to the king as may move his royal benevolence to furnish the relief, which will raise an everlasting tribute of gratitude in the minds of the people of the United States.

I have the honor to be, with the greatest respect, your excellency's most obedient, etc.

ARTHUR LEE.

Franklin, Lee, and Adams to the President of Congress.*

PASSY, July 20, 1778.

SIR: We have the honor to inform Congress that the spy, Captain Nyles, has arrived at Brest, and brought us a ratification of the treaties with his most Christian majesty, which has given much satisfaction to this court and nation. On the 17th instant we had the honor of exchanging ratifications with his excellency the Count de Vergennes. The treaties, ratified, signed by his majesty, and under the great seal of France, are now in our possession, where perhaps, considering the danger of enemies at sea, it will be safest to let them remain for the present. Copies of them we shall have the honor to transmit to Congress by this opportunity.

War is not yet declared between France and England by either nation, but hostilities at sea have been already commenced by both, and as the French fleet from Brest, under the command of the Count d'Orvilliers, and the British fleet, under Admiral Keppel, are both at sea, we are in hourly expectation of a rencontre between them. The Jamaica fleet, the Windward Island fleet, and a small fleet from the Mediterranean have arrived at London, which has enabled them to obtain, by means of a violent impress, perhaps a thousand or fifteen hundred seamen, which will man two or three ships more, in the whole making Admiral Keppel's fleet somewhat nearer to an equality with the French. In the mean time the Spanish flotilla has arrived, but the councils of that court are kept in a secrecy so profound that we presume not to say with confidence what are her real intentions. We continue, however, to receive from various quarters encouraging assurances, and from the situation of the powers of Europe it seems highly probable that Spain will join France in case of war.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 297, with verbal changes; 7 John Adams' works, 18.

A war in Germany, between the Emperor and King of Prussia, seems to be inevitable, and it is affirmed that the latter has marched his army into Bohemia, so that we apprehend that America has at present nothing to fear from Germany. We are doing all in our power to obtain a loan of money, and have a prospect of procuring some in Amsterdam, but not in such quantities as will be wanted. We are constrained to request Congress to be as sparing as possible in their drafts upon us. The drafts already made, together with the great expense arising from the frigates which have been sent here, together with the expenses of the commissioners, the maintenance of your ministers for Vienna and Tuscany, and of prisoners who have made their escape, and the amount of clothes and munitions of war already sent to America, are such that we are under great apprehensions that our funds will not be sufficient to answer the drafts which we daily expect for the interest of loan-office certificates, as well as those from Mr. Bingham.

We have the honor to enclose copy of a letter from M. de Sartine, the minister of marine, and to request the attention of Congress to the subject of it.

We are told in several letters from the honorable committee for foreign affairs that we shall receive instructions and authority for giving up, on our part, the whole of the eleventh article of the treaty, proposing it as a condition to the court of France that they, on their part, should give up the whole of the twelfth. But, unfortunately, these instructions and authority were omitted to be sent with the letters, and we have not yet received them. At the time of the exchange of the ratifications we mentioned this subject to the Count de Vergennes, and gave him an extract of the committee's letter. His answer to us was that the alteration would be readily agreed to, and he ordered his secretary not to register the ratification till it was done. We therefore request that we may be honored with the instructions and authority of Congress to set aside the two articles as soon as possible, and while the subject is fresh in memory.

The letter to M. Dumas* is forwarded, and, in answer to the committee's inquiry, what is proper for Congress to do for that gentleman, we beg leave to say that his extreme activity and diligence in negotiating our affairs, and his punctuality in his correspondence with Congress, as well as with us, and his usefulness to our cause in several other ways not at present proper to be explained, give him, in our opinion, a good title to two hundred pounds sterling a year, at least.

The other things mentioned in the committee's letter to us shall be attended to as soon as possible. We have received also the resolution of Congress of 9th February, and the letter of the committee of the same date, empowering us to appoint one or more suitable persons as commercial agents, for conducting the commercial business of the

* Private agent for American affairs in Holland.

United States in France and other parts of Europe. But as this power was given us before Congress received the treaty, and we have never received it but with the ratification of the treaty, and as by the treaty Congress is empowered to appoint consuls in the ports of France, perhaps it may be expected from us that we should wait for the appointment of consuls. At present Mr. John Bonfield, of Bordeaux, and Mr. J. D. Schweighauser, at Nantes, both by the appointment of Mr. William Lee, are the only persons authorized as commercial agents. If we should find it expedient to give appointments to any other persons before we hear from Congress, we will send information of it by the first opportunity. If Congress should think proper to appoint consuls, we are humbly of opinion that the choice will fall most justly as well as naturally on Americans, who are, in our opinion, better qualified for this business than any others, and the reputation of such an office, together with a moderate commission on the business they may transact and the advantages to be derived from trade, will be a sufficient inducement to undertake it, and a sufficient reward for discharging the duties of it.

We have the honor to be, etc.,

B. FRANKLIN,
ARTHUR LEE,
JOHN ADAMS.

THE FUNCTIONS OF CONSULS,

Are to maintain in their department the privileges of their nation according to treaties.

To have inspection and jurisdiction, as well civil as criminal, over all the subjects of their States who happen to be in their department, and particularly over commerce and merchants.

This sort of commission is not given but to persons of above thirty years of age.

Those appointed should cause their powers to be registered in the nearest court of admiralty, and in the chamber of commerce, if there is one, near the place of their residence.

On his arrival there, he should publish his powers in the assembly of merchants of his country happening to be there at the time, and put them on the records of the consulate.

When there is any question that affects the general affairs of the commerce of his nation, he ought to convoke all the merchants and masters of vessels of his nation then in the place, who are obliged to attend, under penalty, according to the resolutions taken in these assemblies; the consul issues orders which ought to be executed, and of which he should send copies every three months to the lieutenant-general of the nearest admiralty and chamber of commerce.

The jurisdiction of consuls extends to several objects, for he not only supplies the place of a court of admiralty, but also of a common court of justice.

In civil matters the judgments are to be executed, provisional security being given for the sum adjudged; in criminal matters definitively and without appeal, if given with two of the principal merchants of his country assisting, except where corporal punishment appertains to the crime, in which case the process and proofs are to be drawn up by the consul, and sent with the criminal by the first vessel of the nation to be judged by the proper authority in the first port hereof where he arrives.

The consul may also oblige any of his nation to depart, if they behave scandalously; and captains are obliged to take them, under a penalty.

If the consul has any difference with the merchants of the place, the parties are to appear in the next court of admiralty, and the cause is to be there adjudged.

The consul has a clerk, who keeps an office, in which all the acts of the consulate are registered. He names also the officers who execute his precepts, and takes their oaths. If war happens, the consuls retire.

Ceremonial of admitting the French minister to Congress.*

IN CONGRESS, July 20, 1778.

Resolved, That the ceremonial for a minister plenipotentiary or envoy shall be as follows:

When a minister plenipotentiary or envoy shall arrive within any of the United States, he shall receive at all places where there are guards, sentries, or the like, such military honors as are paid to a general officer of the second rank in the armies of the United States.

When he shall arrive at a place in which Congress shall be, he shall wait upon the President and deliver his credentials, or a copy thereof. Two members of Congress shall then be deputed to wait upon him and inform him where and when he shall receive audience of Congress.

At the time he is to receive his audience the two members shall again wait upon him in a coach belonging to the States, and the person first named of two shall return with the minister plenipotentiary or envoy in the coach, giving the minister the right hand, and placing himself on the left, with the other member on the front seat.

When the minister plenipotentiary or envoy is arrived at the door of the Congress hall, he shall be introduced to his chair by the two members, who shall stand at his left hand. Then the member first named shall present and announce him to the President and the House, whereupon he shall bow to the President and Congress, and they to him. He and the President shall then again bow to each other and be seated, after which the House shall sit down.

Having spoken, and being answered, the minister and the President shall bow to each other, at which time the House shall bow, and then he shall be conducted home in the manner in which he was brought to the House.

Those who shall wait upon the minister shall inform him that if in any audience he shall choose to speak on matters of business, it will be necessary previously to deliver in writing to the President what he intends to say at the audience, and if he shall not incline thereto, it will, from the constitution of Congress, be impracticable for him to receive an immediate answer.

The style of address to Congress shall be, "Gentlemen of the Congress."

* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 562.

All speeches or communications in writing may, if the public minister choose it, be in the language of their respective countries, and all replies or answers shall be in the language of the United States.

After the audience the members of Congress shall be first visited by the minister plenipotentiary or envoy.

JULY 30.

Resolved, That Thursday next be assigned for giving audience to the honorable M. Gerard, minister plenipotentiary from his most Christian majesty.

AUGUST 5.

Resolved, That when the minister is introduced to his chair by the two members he shall sit down.

His secretary shall then deliver to the President the letters of his sovereign, which shall be read and translated by the secretary of Congress. Then the minister shall be announced; at which time the President, the House, and the minister shall rise together. The minister shall then bow to the President and the House, and they to him. The minister and the President shall then bow to each other and be seated; after which the House shall sit down. The minister shall deliver his speech standing, the President and the House shall sit while the minister is delivering his speech.

The House shall rise, and the President shall deliver the answer standing. The minister shall stand while the President delivers the answer.

Having spoken, and being answered, the minister and the President shall bow to each other, at which time the House shall bow, and then the minister shall be conducted home in the manner in which he was brought to the House.

Resolved, That the door of the Congress chamber be open during the audience to be given to the minister plenipotentiary of his most Christian majesty.

That the delegates of Pennsylvania be requested to inform the vice-president, the supreme executive council, and the speaker and assembly of the said State that the minister plenipotentiary of his most Christian majesty the king of France will receive his audience of Congress at 12 o'clock to-morrow, when the doors of the chamber will be opened.

That each member of Congress may give two tickets for the admittance of other persons to the audience, and that no other persons except those specified in the foregoing resolution be admitted without such a ticket signed by the members appointed to introduce the minister to the Congress.

THURSDAY, August 6.

According to order, the Hon. M. Gerard was introduced to an audience by two members of Congress, and being seated, his secretary delivered to the President a letter from his most Christian majesty,

directed "To our very dear and great friends and allies the President and members of the general Congress of the United States," in the words following :

[See this letter dated March 28, 1778, *supra*.]

The minister was then announced to the House, whereupon he arose and addressed Congress in a speech which, when he had finished, his secretary delivered in writing to the President, and is as follows:

[Translation.]

"GENTLEMEN: The connections which the king my master has formed with the United States of America are so agreeable to him, that he has been unwilling to delay sending me to reside near you to unite them more closely. His majesty will be gratified to learn that the sentiments which are manifested on this occasion justify the confidence with which the zeal and the character of the deputies of the United States in France, the wisdom and the firmness which have directed your resolutions, together with the courage and the constancy which the people have displayed, have inspired him. You know, gentlemen, that this confidence has laid the foundation of the truly friendly and disinterested plan upon which his majesty has treated with the United States.

"It has not rested with him that his engagements could not secure your independence and your tranquillity without the further effusion of blood, and without aggravating the miseries of mankind, of which it is his whole ambition to secure the happiness; but the hostile dispositions and resolutions of the common enemy having given a present force, positive, permanent, and indissoluble to engagements wholly eventual, the king my master has thought that the two allies should occupy themselves only with the means of fulfilling them in the manner the most useful to the common cause, and of the most effect in obtaining peace, which is the object of the alliance. It is in conformity with this principle that his majesty has hastened to send you a powerful assistance. You owe it, gentlemen, to his friendship, to the sincere interest which he takes in the welfare of the United States, and to the desire which he has of concurring effectually in securing your peace and your prosperity on honorable and firm foundations. He hopes, moreover, that the principles adopted by the Governments will contribute to extend the connections which the mutual interest of the respective nations had already begun to form between them. The principal point of my instructions is to make the interests of France and those of the United States keep pace together. I flatter myself that my past conduct in affairs which interest them has already convinced you that I have no more earnest desire than that of executing my instructions in such a manner as to deserve the confidence of Congress, the friendship of its members, and the esteem of all the citizens."

To this speech the President returned the following answer:

"SIR: The treaties between his most Christian majesty and the United States of America so fully demonstrate his wisdom and magnanimity as to command the reverence of all nations. The virtuous citizens of America in particular can never forget his beneficent attention to their violated rights, nor cease to acknowledge the hand of a gracious Providence in raising for them so powerful and illustrious a friend. It is the hope and the opinion of Congress that the confidence his majesty reposes in the firmness of these States will receive additional strength from every day's experience.

"This assembly are convinced, sir, that had it rested solely with the most Christian king, not only the independence of these States would have been universally acknowledged, but their tranquillity fully established; we lament that lust of domination which gave birth to the present war and has prolonged and extended the miseries of mankind. We ardently wish to sheathe the sword and spare the further effusion of blood; but we are determined, by every means in our power, to fulfill those eventual engagements which have acquired positive and permanent force from the hostile designs and measures of the common enemy.

"Congress have reason to believe that the assistance so wisely and generously sent will bring Great Britain to a sense of justice and moderation, promote the interests of France and America, and secure peace and tranquillity on the most firm and honorable foundation. Neither can it be doubted that those who administer the powers of government within the several States of this Union will cement that connection with the subjects of France, the beneficent effects of which have already been so sensibly felt.

"Sir, from the experience we have had of your exertions to promote the true interests of our country as well as your own, it is with the highest satisfaction Congress receive as the first minister from his most Christian majesty a gentleman whose past conduct affords a happy presage that he will merit the confidence of this body, the friendship of its members, and the esteem of the citizens of America."

The secretary of Congress delivered to the minister a copy of the foregoing speech, dated "In Congress, August 6, 1778," and signed "Henry Laurens, President." Whereupon the minister withdrew, and was conducted home in the manner in which he was brought to the House.

Franklin to Lovell.*

PASSY, July 22, 1788.

SIR: I received your favor of May 15, and was glad to find that mine of December 25 had come to hand. Mr. Deane's brother writes it was not signed, which was an accidental omission. Mr. Deane is

* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 39; 6 Bigelow's Franklin, 198.

himself, I hope, with you long before this time, and I doubt not every prejudice against him is removed. It was not alone upon the proceedings of Congress that I formed my opinion that such prejudices existed. I am glad to understand that opinion was groundless, and that he is likely to come back with honor in the commission to Holland, where matters are already so ripe for his operations that he can not fail (with his abilities) of being useful.

You mention former letters of the committee, by which we might have seen the apprehensions of the resentment of foreign officers, etc. Those letters never came to hand. And we, on our part, are amazed to hear that the committee had had no line from us for near a year, during which we had written, I believe, five or six long and particular letters, and had made it a rule to send triplicates of each, and to replace those that we happened to hear were lost, so that of some there were five copies sent; and as I hear that Captain Young is arrived, who had some of them, I think it probable that one of each, at least, must have come to your hands before this time. Mr. Deane's information, however, may supply the want of them, whose arrival, as he went with a strong squadron of men-of-war, is more likely than that of this vessel, or any other single one by which we might send more copies.

The affair with M. de Beaumarchais will be best settled by his assistance after his return. We find it recommended to us, but we know too little of it to be able to do it well without him.

There has been some inaccuracy in sending us the last dispatches of the committee. Two copies of the contract with M. Francy and the invoices came by the same vessel, Captain Niles. And though one of your letters mentions sending enclosed a resolution of Congress relative to two articles of the treaty, that resolution is not come to hand. There are circumstances in the affair of those articles that make them, in my opinion, of no consequence if they stand, while the proposing to abrogate them has an unpleasing appearance, as it looks like a desire of having it in our power to make that commercial kind of war which no honest state can begin, which no good friend or neighbor ever did or will begin, which has always been considered as an act of hostility that provoked, as well as justified, reprisals, and has generally produced such as rendered the first project as unprofitable as it was unjust. Commerce among nations, as well as between private persons, should be fair and equitable, by equivalent exchanges and mutual supplies. The taking unfair advantage of a neighbor's necessities, though attended with temporary success, always breeds bad blood. To lay duties on a commodity exported, which our neighbors want, is a knavish attempt to get something for nothing. The statesman who first invented it had the genius of a pickpocket, and would have been a pickpocket if fortune had suitably placed him. The nations who have practiced it have suffered fourfold, as pickpockets ought to suffer. Savoy, by a duty on exported wines, lost the trade of Switzerland,

which thenceforth raised its own wine : and (to waive other instances) Britain, by her duty on exported tea, has lost the trade of her Colonies. But as we produce no commodity that is peculiar to our country, and which may not be obtained elsewhere, the discouraging the consumption of ours by duties on exportation, and thereby encouraging a rivalship from other nations in the ports we trade to, is absolute folly, which, indeed, is mixed more or less with all knavery. For my own part, if my protest were of any consequence, I should protest against our ever doing it, even by way of reprisal. It is a meanness with which I would not dirty the conscience or character of my country.

The objections stated against the last of the two articles had all been made and considered here, and were sent, I imagine, from hence by one who is offended that they were not thought of weight sufficient to stop the signing of the treaty till the king should, in another council, reconsider those articles; and after agreeing to omit them, order new copies to be drawn, though all was then ready engrossed on parchment as before settled. I did not think the articles of much consequence, but I thought it of consequence that no delay should be given to the signing of the treaty after it was ready. But if I had known that those objections would have been sent to the committee I should have sent the answers they received, which had been satisfactory to *all* the commissioners when the treaty was settled, and until the mind of one* of them was altered by the opinion of two other persons.† It is now too late to send those answers. But I wish for the future, if such a case should again happen, that Congress would acquaint their commissioners with such partial objections, and hear their reasons before they determine that they have done wrong. In the meantime this only to you in private; it will be of no use to communicate it, as the resolutions of Congress will probably be received and executed before this letter comes to hand.

Speaking of commissioners in the plural puts me in mind of inquiring if it can be the intention of Congress to keep *three* commissioners at this court; we have indeed four with the gentleman intended for Tuscany, who continues here, and is very angry that he was not consulted in making the treaty, which he could have mended in several particulars, and perhaps he is angry with some reason, if the instructions to him do, as he says they do, require us to consult him. We shall soon have a fifth for the envoy to Vienna not being received there is, I hear, returning hither. The necessary expense of maintaining us all is, I assure you, enormously great. I wish that the utility may equal it. I imagine every one of us spends nearly as much as Lord Stormont did. It is true he left behind him the character of a niggard, and when the

* Arthur Lee. See his letter to Izard, January 28, 1778, and to Franklin and Deane, January 30, 1778, *supra*.

† Ralph Izard and William Lee. See Mr. Izard's letter to Franklin, January 28, 1778, *supra*.

advertisement appeared for the sale of his household goods, all Paris laughed at an article of it, perhaps very innocently expressed, “*Une grande quantité du linge de table, qui n'a jamais serri.*” “*Cela est très vraisemblable,*” say they, “*car il n'a jamais donné à manger.*” But as to our number, whatever advantage there might be in the joint counsels of three for framing and adjusting the articles of the treaty, there can be none in managing the common business of a resident here. On the contrary, all the advantages in negotiation that result from secrecy of sentiment and uniformity in expressing it and in common business from dispatch are lost. In a court, too, where every word is watched and weighed, if a number of commissioners do not every one hold the same language in giving their opinion on any public transaction, this lessens their weight; and when it may be prudent to put on or avoid certain appearances of concern, for example, or indifference, satisfaction, or dislike, where the utmost sincerity and candor should be used, and would gain credit if no semblance of art showed itself in the inadvertent discourse perhaps of only one of them, the hazard is in proportion to the number. And where every one must be consulted on every particular of common business in answering every letter, etc., and one of them is offended if the smallest thing is done without his consent, the difficulty of being often and long enough together, the different opinions and the time consumed in debating them, the interruptions by new applicants in the time of meeting, etc., occasion so much postponing and delay, that correspondence languishes, occasions are lost, and the business is always behindhand.

I have mentioned the difficulty of being often and long enough together. This is considerable, where they can not all be accommodated in the same house; but to find three people whose tempers are so good and who like so well one another's company and manner of living and conversing as to agree well themselves, though being in one house, and whose servants will not by their indiscretion quarrel with one another, and by artful misrepresentations draw their masters in to take their parts, to the disturbance of necessary harmony, these are difficulties still greater and almost insurmountable, and in consideration of the whole I wish Congress would separate us.

The Spanish galleons, which have been impatiently expected, are at length happily arrived. The fleet and army returning from Brazil is still out, but supposed to be on her way homewards. When that and the South Sea ships are arrived it will appear whether Spain's accession to the treaty has been delayed for the reasons given, or whether the reasons were only given to excuse the delay.

The English and French fleets of nearly equal force are now both at sea. It is not doubted but that if they meet there will be a battle, for though England through fear affects to understand it to be still peace, and would excuse the depredations she has made on the commerce of France by pretenses of illicit trade, etc., yet France considers the war

begun from the time of the king's message to Parliament complaining of the insult France had given by treating with us and demanding aids to resist it, and the answer of both houses offering their lives and fortunes; and the taking several frigates are deemed indisputable hostilities. Accordingly, orders are given to all the fleets and armed ships to return hostilities, and encouragement is offered to privateers, etc. An ambassador from Spain is indeed gone to London, and joyfully received there in the idea that peace may be made by his mediation; but as yet we learn nothing certain of his mission, and doubt his effecting anything of the kind.

War in Germany seems to be inevitable, and this, occasioning great borrowings of money in Holland and elsewhere by the powers concerned, makes it more difficult for us to succeed in ours. When we engaged to Congress to pay their bills for the interest of the sums they should borrow we did not dream of their drawing on us for other occasions. We have already paid of Congress' drafts to returned officers eighty-two thousand two hundred and eleven livres, and we know not how much more of that kind we have to pay; because the committee have never let us know the amount of those drafts, or their account of them never reached us, and they still continue coming in. And we are now surprised with advice of drafts from Mr. Bingham to the amount of one hundred thousand more. If you reduce us to bankruptcy here by a nonpayment of your drafts, consider the consequences. In my humble opinion no drafts should be made on us without first learning from us that we shall be able to answer them.

M. de Beaumarchais has been out of town ever since the arrival of your power to settle with him. I hope he will be able to furnish the supplies mentioned in the invoice and contract. The settlement may be much better made with the assistance of Mr. Deane, we being not privy to the transaction.

We have agreed to give Monsieur Dumas two hundred louis a year, thinking that he well deserves it.

With great esteem, I have the honor to be, etc.,

B. FRANKLIN.

Franklin and Adams to the President of Congress.*

PASSY, July 23, 1778.

SIR: We have just received a message from M. le Comte de Vergennes, by his secretary, acquainting us that information is received from England of the intention of the cabinet there to offer (by additional instructions to their commissioners) independence to the United States on condition of their making a separate peace, relying on their

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 300, with omissions and verbal changes.

majority in both houses for approbation of the measure. M. de Vergennes, upon this intelligence, requests that we would write expressly to acquaint the Congress that though no formal declaration of war has yet been published, the war between France and England is considered as actually existing from the time of the return of the ambassadors, and that if England should propose a peace with France the immediate answer to the proposition would be, "Our eventual treaty with the United States is now in full force, and we will make no peace but in concurrence with them." [The same answer, it is expected, will be given by the Congress should a separate peace be proposed to them;*] and we have given it as our firm opinion that such an answer will be given by you without the least hesitation or difficulty, though you may not have been informed before, as you now are, that, war being actually begun, the eventual treaty is become fully and completely binding.

We are, with great respect, etc.

B. FRANKLIN.
JOHN ADAMS.

Izard to Henry Laurens, President of Congress.†

PARIS, July 25, 1778.

DEAR SIR: The treaties were received by the *Spy* on the 9th instant. I am glad to find that the eleventh and twelfth articles of the treaty of commerce appeared to Congress in the same light that they did to me. The committee of foreign affairs, in their letters to the commissioners here of May 14 and 15, made nearly the same observations that I did to Dr. Franklin in my letter to him on that subject.

I have not, however, the satisfaction of knowing whether the part I have acted has been approved of, or even whether any of my letters got to your hands, as I have not been favored with a line from you since your arrival in Congress. I shall not complain, but follow Dr. Franklin's maxim in his letter of January 29th, which is, "to suppose our friends right till one finds them wrong, rather than to suppose them wrong until one finds them right."‡ It is possible that my letters to you and yours to me may have been lost or stolen. The [scandalous]§ tricks that were played with Mr. Lee's letters, and the public dispatches that were sent by Mr. Folger, will justify any suspicion. I shall take it for granted that, if you have written, your letters have miscarried, or, if you have not written, that you were prevented by business of greater importance. It is, however, very unfortunate, and you can not but be sensible how mortifying it must be to me, who have been engaged in distress and trouble in consequence of my doing

* Passage in brackets omitted in Sparks' ed.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 686, with omissions and verbal changes.

‡ Franklin to Izard, January 29, 1778, *supra*.

§ Word in brackets omitted in Sparks' ed.

my duty to the public, not to find attention and support from a quarter where I had every reason to expect it.

I had just written thus far when Mr. Adams sent me your letter of May 19, which was enclosed to him; and I thank you heartily for the very friendly expressions contained in it. You mention that you intended to write me more fully by the same opportunity; but as that letter is not come to hand, I suppose it was too late for the conveyance. I am very anxious to see it, and hope to find by it that my proceedings have met with your approbation. The ratification of the treaties by Congress has put the ministry and the whole nation into as good spirits as our countrymen were put by them. Except the parts which I have mentioned to you, they seem to be very fair and equitable; and I really believe that if a certain gentleman had thought less of his infallibility, they might have been made unexceptionable. The ministry made no objection to the alteration respecting the molas-ses; and I most sincerely wish that Congress had not, in their hurry, passed over the other articles, which I am convinced will occur to them when perhaps it may not be so easy to get them altered as at present.

The war in Germany is already begun. The King of Prussia, finding that his negotiations proved fruitless, has invaded Bohemia, and that unhappy country, the constant seat of misery, will, in all probability, experience more calamities than ever. The wisdom of the Congress and the valor of our countrymen will, I hope, soon remove the war from our continent; and I pray to God that the blessings of peace may be at no great distance.

I can not help expressing to you my astonishment upon reading the account given of the interview between the commissioners here and M. Gerard on the 16th of December, printed in the York Town Gazette of May 4. The part I allude to is the following. The French Plenipotentiary, speaking of the king, says: "He should, moreover, not so much as insist that, if he engaged in the war with England on our account, we should not make a separate peace for ourselves whenever good and advantageous terms were offered to us." This account, I understand, was given to Congress by the commissioners, and therefore it must be presumed to be true. How, then, can it be reconciled with the eighth article of the treaty of alliance? Suppose England should offer to acknowledge the liberty, sovereignty, and independence of America upon condition that she should make a separate peace? The question is, can we, in honor, do it? Monsieur Gerard, royal syndic of Strasbourg, and secretary of his majesty's council of state, informed the commissioners on the 16th of December, *by order of the king*, that the only condition his majesty should require and rely on would be this: "That we, in no peace to be made with England, should give up our independence, and return to the obedience of that government." The eighth article of the treaty of alliance declares directly the contrary, although the second says expressly: "*Le but essentiel et direct de la présente alliance défensive, est de maintenir efficacement la liberté, la sou-*

veraineté, et l'indépendance des États-Unis." I most ardently wish for peace; at the same time the preservation of our national honor must be attended to. The virtue and wisdom of the representatives of our country in Congress will be shown if this question should ever be agitated.

You will find by my letter to the committee of this day's date, that the situation of affairs has not allowed me yet to go into Italy. My own inclinations, if they alone had been consulted, would have carried me there long ago. Mr. William Lee was right in going to Vienna. That court acts from its own opinion without control, and might possibly have been prevailed on to receive him publicly. The event has not proved answerable to our wishes. The conduct of the empress queen has certainly been occasioned by a resentment against the court of France for not contributing, contrary to their own interest, to the aggrandizement of the house of Austria. A resentment so ill-founded and unreasonable may, perhaps, not continue long; in the mean time, however, it is exceedingly provoking to me, as I am living at the public expense, without having it in my power to fulfill the objects of my commission. Perhaps, indeed, my having been in Paris may not prove altogether useless; and I hope the papers I have transmitted to you may not be thought unworthy the attention of Congress. After having had the facts stated to them relative to the situation of affairs in Europe, they will judge what instructions are proper to be sent to me. If they are positive, at all events they shall be followed; if discretionary, I shall act to the best of my judgment.

You are so good as to assure me in your letter of the 19th of May that you will upon all occasions have at heart my honor and interest, and that you will by every opportunity keep me acquainted with the state of affairs. I feel very sensibly these friendly assurances, and promise you that amidst the troubles and vexations in which I have been engaged I derive considerable comfort and satisfaction from them. You say nothing of your son. I heartily rejoice at his promotion. He must have informed you that he was very desirous of going into the Prussian army. I dissuaded him from it, and advised him if he was determined upon becoming a soldier, to take Marshal Saxe and the Chevalier Foland's Commentaries upon Polybius into his hands and go to America, where an ample field would be open to him. I am happy to find that he has had no cause to repent of having followed my advice.

My wife offers you her compliments, and joins me in desiring that they may be presented to him. We have heard nothing very lately from his family in England; by the last accounts, Mrs. Laurens was well, and the child very much improved.

I am, dear sir, etc.,

RALPH IZARD.

[P. S.—Dr. Franklin has not attempted to answer my letter of 17th of June.]*

* Words in brackets omitted in Sparks' ed.

Adams to Lovell.*

PASSY, July 26, 1778.

MY DEAR FRIEND: Your favors of May 16 and 25, by Captain Barnes, reached me yesterday. These, with those by Niles from Connecticut, and those by the *Saratoga* from Baltimore, are all that I received from you or from anybody at Congress; which gives me pain, because your other letters must have miscarried, and I hold your letters in so high esteem, that I can not be willing to lose one.

The robbery of Folger's packet, by all that I can learn, must have been committed by a traitor, who made his escape to England. But Dr. Franklin and Mr. Lee, who were acquainted with this transaction, will, I suppose, develop the mystery as far as they are able. One of these gentlemen has some other suspicions, but I believe the fugitive to England was the only thief.†

Mr. Deane, whom you mention, is no doubt with you before now, but if the Count d'Estaing has not been able to strike a decisive blow before the arrival of Byron, I should fear that some misfortune has befallen him since the junction of Byron and Howe. We are, however, anxious to know the naval maneuvers in America, as well as those of the armies. Mr. Deane complains of ill treatment, and claims great merit for his services. I shall not add to the ill treatment, nor deprecate the merit, but it will never do for Congress to dread the resentment of their servants. I have heard a great deal in this country concerning his conduct—great panegyries and harsh censures. But I believe he has neither the extravagant merit that some persons ascribe to him, nor the gross faults to answer for which some others impute or suspect. I believe he was a diligent servant of the public, and rendered it useful service. His living was expensive, but whether he made the vast profit to himself that some persons suspect, I know not, or whether any profit at all. One thing I know, that my family will feel that I shall not imitate him in this faculty, if it really was his; for which reason I wish Congress would determine what allowance we shall have for our time, that I might know whether my family can live upon it or not.

Extravagant claims to merit are always to be suspected. General Gates was the ablest negotiator you ever had in Europe; and next to him, General Washington's attack upon the enemy at Germantown. I do not know, indeed, whether this last affair had not more influence upon the European mind than that of Saratoga. Although the attempt was unsuccessful, the military gentlemen in Europe considered it as the most decisive proof that America would finally succeed.

And you may depend upon it, although your agents in Europe were

*2 Sparks' Dip. Rev. Corr., 544.

†See committee, etc., to commissioners, January 12, 1778, and note thereto; A. Lee to committee, April 14, 1778.

to plead with the tongues of men and angels, although they had the talents and the experience of Mazarin or the integrity of d'Asset, your army in America will have more success than they.

I foresee there will be diversities of sentiment concerning this gentleman (Deane), and perhaps warm debates. Perhaps there will be as much as there has been about a general in the northern department. All that I request is, that I may not be drawn into the dispute. Europe has not charms enough for me to wish to stay here to the exclusion of able negotiators, much less at the expense of heat and divisions in Congress. How well united you were in the choice of me I never was informed, and how soon attempts may be made to displace me I know not. But one thing I beg of my friends, and one only, that if any attempt of that kind should be made they would give me up, rather than continue my residence at the expense of debates in Congress and by the favor of small majorities.

If I were capable of speculating in English funds, or of conducting private trade, I might find opportunities here to make a private profit, and might have inducements from private considerations to continue here; but this will never be my case, and I am very well persuaded that Congress will never grant me so much for my services here as I could earn by my profession in Boston, to which I will return with submission to old ocean, old Boreas, and British men-of-war the moment I am released from this station. I wish, however, that Congress would determine what allowance they will grant, that honest men may not be made or suspected otherwise. As to the public, I am fully persuaded that its interests are not at all concerned in my residence here, as there is a great plenty of persons quite as well qualified.

I am, etc.,

JOHN ADAMS.

Adams to the President of Congress.*

PASSY, July 27, 1778.

SIR: I thank you for your kind congratulations on the favorable appearances in our American concerns, and for so politely particularizing one of the most inconsiderable of them, my safe arrival in France, which was after a very inconvenient passage of forty-five days.

Your letter to Mr. Izard I had the pleasure to send to him immediately in Paris, where he resides, the court of Tuscany being so connected with that of Vienna as to discourage hitherto his departure for Italy. He did me the honor of a visit yesterday, when we had much conversation upon American affairs.

Your other letter, to your daughter-in-law, I have forwarded by a safe opportunity. You may depend upon my conveying your letters to any

* 2 Sparks' Dip. Rev. Corr., 546; 7 John Adams' Works, 21.

of your friends by the best opportunities and with dispatch. The more of your commands you send me the more pleasure you will give me.

War is not declared, that is, no manifesto has been published, but each nation is daily manufacturing materials for the other's manifesto by open hostilities. In short, sir, the two nations have been at war ever since the recall of the ambassadors. The King of France has given orders to all his ships to attack the English, and has given vast encouragement to privateers.

The King of Great Britain and his council have determined to send instructions to their commissioners in America to offer us independency, provided we will make peace with them separate from France. This appears to me to be the last effort to seduce, deceive, and divide. They know that every man of honor in America must receive this proposition with indignation. But they think they can get the men of no honor to join them by such a proposal, and they think the men of honor are not a majority. What has America done to give occasion to that king and council to think so unworthily of her!

The proposition, is in other words, this: "America, you have fought me until I despair of beating you; you made an alliance with the first power of Europe, which is a great honor to your country and a great stability to your cause, so great that it has excited my highest resentment, and has determined me to go to war with France. Do you break your faith with that power and forfeit her confidence, as well as that of all the rest of mankind forever, and join me to beat her, or stand by me and see me do it, and for all this I will acknowledge your independency, because I think in that case you can not maintain it, but will be an easy prey to me afterwards, who am determined to break my faith with you as I wish you to do yours with France."

My dear countrymen, I hope you will not be allured upon the rocks by the siren song of peace. They are now playing a sure game. They have run all hazards, but now they hazard nothing.

I know your application is incessant and your moments precious, and therefore that I ask a great favor in requesting your correspondence; but the interests of the public, as well as private friendship, induce me to do it.

I am, etc.,

JOHN ADAMS.

Dumas to Van Berckel, Pensionary of Amsterdam.*

JULY 27, 1778.

SIR: Directed by the plenipotentiaries of the United States of America in Paris to send you the annexed copy of a treaty of amity and commerce concluded between France and the said United States, with

* 5 Sparks' Dip. Rev. Corr., 243.

the testimony of the high esteem and consideration they have for you in particular, and for all the honorable members of the regency of Amsterdam in general, I acquit myself of these orders with all the satisfaction and eagerness which my respectful devotion to the interest of this republic dictates. The plenipotentiaries pray you, sir, to communicate this treaty in such a manner that copies of it may not be multiplied until they have written me that it may be published and in the hands of all the world. I have carried this morning to Mr. —— a like copy with the same request.

I add to this a proclamation of Congress that I have received, and the communication of which I think will give you pleasure. It will appear in the gazettes in French and Dutch, and ought to satisfy all the maritime powers, no less than it does honor to the sagacity and equity of Congress.

I am, with the truest respect, etc.,

DUMAS.

J. Adams to Samuel Adams.*

PASSY, July 28, 1778.

MY DEAR SIR: The sovereign of Britain and his council have determined to instruct their commissioners to offer you independence, provided you will disconnect yourselves from France.

The question arises, how came the king and council by authority to offer this? It is certain that they have it not.

In the next place, is the treaty of alliance between us and France now biuding upon us? I think there is not room to doubt it; for declarations and manifestoes do not make the state of war—they are only publications of the reasons of war. Yet the message of the King of Great Britain to both houses of Parliament, and their answers to that message, were as full a declaration of war as ever was made, and accordingly hostilities have been frequent ever since. This proposal, then, is a modest invitation to a gross act of infidelity and breach of faith. It is an observation that I have often heard you make, that "France is the natural ally of the United States." This observation is, in my opinion, both just and important. The reasons are plain. As long as Great Britain shall have Canada, Nova Scotia, and the Floridas, or any of them, so long will Great Britain be the enemy of the United States, let her disguise it as much as she will.

It is not much to the honor of human nature, but the fact is certain that neighboring nations are never friends in reality. In the times of the most perfect peace between them their hearts and their passions are hostile, and this will certainly be the case forever between the thirteen United States and the English colonies. France and England, as neighbors and rivals, never have been and never will be friends. The

* 2 Sparks' Dip. Rev. Corr., 548.

hatred and jealousy between the nations are eternal and irradicable. As we therefore, on the one hand, have the surest ground to expect the jealousy and hatred of Great Britain, so on the other we have the strongest reasons to depend upon the friendship and alliance of France, and no one reason in the world to expect her enmity or her jealousy, as she has given up every pretension to any spot of ground on the continent. The United States, therefore, will be for ages the natural bulwark of France against the hostile designs of England against her, and France is the natural defense of the United States against the rapacious spirit of Great Britain against them. France is a nation so vastly eminent, having been for so many centuries what they call the dominant power of Europe, being incomparably the most powerful at land, that united in a close alliance with our States, and enjoying the benefit of our trade, there is not the smallest reason to doubt but both will be a sufficient curb upon the naval power of Great Britain.

This connection, therefore, will forever secure a respect for our States in Spain, Portugal, and Holland, too, who will always choose to be upon friendly terms with powers who have numerous cruisers at sea, and indeed in all the rest of Europe. I presume, therefore, that sound policy as well as good faith will induce us never to renounce our alliance with France, even although it should continue us for some time in war. The French are as sensible of the benefits of this alliance to them as we are, and they are determined as much as we to cultivate it.

In order to continue the war, or at least that we may do any good in the common cause, the credit of our currency must be supported. But how? Taxes, my dear sir, taxes! Pray let our countrymen consider and be wise; every farthing they pay in taxes is a farthing's worth of wealth and good policy. If it were possible to hire money in Europe to discharge the bills, it would be a dreadful drain to the country to pay the interest of it. But I fear it will not be. The house of Austria has sent orders to Amsterdam to hire a very great sum, England is borrowing great sums, and France is borrowing largely. Amidst such demands for money, and by powers who offer better terms, I fear we shall not be able to succeed.

Pray write me as often as you can, and believe me your friend and servant,

JOHN ADAMS.

Deane to the President of Congress.*

PHILADELPHIA, July 28, 1778.

SIR: I had the honor of receiving on the 4th of March last, in a letter from Mr. Lovell (a copy of which I now enclose†), the orders of Congress announcing my recall and directing my immediate return.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 90.

† See letter from Lovell to Deane, December 8, 1777, *Supra*.

This was the first and only intimation I ever received of the resolutions of Congress on the subject. I immediately complied with it, and left Paris the 1st of April, with hopes of arriving in season to give Congress that intelligence which in the order for my return they express their want of.

Unfortunately, my passage has been much longer than I expected, and I but now begin to find myself recovering from the fatigues of it; yet my desire of giving Congress, as early as possible, an account of the state of their affairs in Europe when I left France, as well as the peculiar situation in which my recall has placed me personally, has induced me to address them through your excellency to solicit for as early an audience as the important business in which they are engaged will admit of.

I have the honor to be, with the most sincere respect, etc.,

SILAS DEANE.

Niccoli to Izard.

[Translation.*]

FLORENCE, July 28, 1778.

SIR: Although M. Favi, who knows my attachment for you, regularly informs me concerning you, yet I was very much pleased with receiving a letter directly from yourself, dated the 11th instant, and to find thereby that the gout had left you at last, and that your little family were well. I beg you to embrace them for me.

I have often wished for you all at Florence during my stay here, and to partake with you the delights that are to be enjoyed beneath a fine sky and under the protection of good laws. I have tortured myself to find some means to induce you to come here; my conscience and honor have always dictated the counsels I have given you, so contrary to my inclinations, but most conformable to your situation and the circumstances you are placed in. I wish very much that the order you have received to effect a loan in Italy might furnish you with a plausible reason to make me a visit; but I see so many difficulties in this design that I dare not flatter myself with hopes. You will permit me to mention those which present themselves on the part of Tuscany. Tuscany, which has been deprived for upwards of two centuries of an active commerce, is but just emerging out of the languishing and exhausted state into which she was plunged. There has, indeed, been for some years a large quantity of cash in circulation, but although my countrymen are convinced of the solvency of the United States, of their honesty in keeping their word, and that they consider their independence as established, they will not, however, lend their money, because they can employ it in a much more lucrative manner under their own eyes. To give you an evident proof of it, I send you the extract of an edict of

his royal highness. You will find the inducements to be infinitely superior to anything the United States can offer.

I propose also to send you shortly an abridgment of the immunities, privileges, and liberties granted for fourteen years past by the grand duke to his subjects. You will see in it his system of administration, and you will judge whether, in a state favored as ours is, it can be reasonably expected to amass money to put it out to interest. I will moreover give you a proof of what has happened under his administration, and of which I am an eyewitness. Cultivation of land has increased double, and landed property, if there is any for sale, is purchased at double the price it sold for before. The grand duke, who has reimbursed almost the half of the state debts which he found at his accession, has the consolation to see the manner in which this money has been employed.

I confine myself, sir, to one single point, to show you the little probability there is of accomplishing your object in Tuscany, leaving it to you to judge whether, in the present circumstances, government would not be blamed should it permit a loan to be opened here for the United States. I know not whether they would permit such a thing for the emperor.

This is enough respecting Tuscany. As to the other states of Italy, I see none in a condition to comply with your views excepting the Republic of Genoa. In this state, being strictly connected with France, you may not meet with the same difficulties on the part of the government, and as the Genoese have almost all their property in ready money, and are accustomed to lend to everybody, I am persuaded you may find it with them, especially if the ministry of France interposes favorably. I imagine that they will demand large interest, with security, perhaps, and guaranteed by the King of France. You will do well, before you open this negotiation, directly to speak about it to the Count de Vergennes, and he should speak to the Marquis Spinola, the Genoese envoy. If you have not this recourse, I know not how you can fulfill the commission of Congress, because all Europe being in a convulsed state, money becomes scarce and dear. You know that the empress queen has opened a loan in her states of Brabant; perhaps, should the troubles not cease, she will open one in Milan. Thus, my friend, you have my opinion. I am sorry that I can not furnish you with some better hints, and more conformable to your wishes and mine. I say nothing respecting myself, and I know not yet what the grand duke will do with me. Whenever he shall determine, you shall not be among the last who are informed of it. Communicate always good news of your country to me, and be assured of the perfect and sincere attachment with which I have the honor to be, sir, etc.,

NICCOLI.

A. Lee to Committee of Correspondence.*

JULY 28, 1778.

GENTLEMEN: I have taken the advantage of the arrival of the *Flota* to press the loan of two millions, and will transmit the answer as soon as I receive it. The order for sending supplies is renewed upon the old footing, and I trust you will receive woolens, drugs, and some naval stores through that channel. We are signing the notes for the loan in Holland, which is a work of time, particularly to myself, as I annex a secret mark to each signature, to detect any forgeries, which will no doubt be attempted by individuals, and perhaps by the government with which we are at war.

(I have not signed the general letter, because the message was received and the answer made while I was signing the notes, without sending for me, so that I can not bear witness to a declaration which I did not hear, and which, had I been present, I should have desired in writing and signed, knowing from the experience we have had that this sort of conversations with under secretaries are not to be relied on. These and other reasons, which I will not trouble you with, would have made me dissent from the proceedings on that message and have made me withhold my signature from the letter.)

No answer has been received from the British court to the return we sent of the seamen in our possession. If the intelligence of their resolution to offer a recognition of our independence be true, it is a proof of their being conscious of their incapacity to carry on the war against the United States and France allied. They have been somewhat slow in finding this out, and I am persuaded that before another year is at an end they will discover the necessity of adding to this offer the cession of all their possessions on the continent of America. The war in Germany will occupy all the north of Europe; Holland will remain neuter; Spain and Portugal will join our alliance; and if there is any certainty in human things, the result must be a *carte blanche* from our imperious and inhuman enemy. They have conducted themselves with such unexampled baseness and folly, that their situation will lose the dignity that used to accompany greatness in distress, and they will fall dishonored and unlamented.

The French and English fleets are yet out, but have not engaged, which, as they are nearly equal, and everything depends upon the event, they will probably avoid, by the former keeping out and the latter in the English Channel.

I enclose a list of the packets and letters sent by Mr. Simeon Deane, a summary of Gardoqui's accounts, a triplicate of the Swiss militia, an account of the *Hawke's* prize, a duplicate of my letter to you of the 20th, and the latest intelligence from Germany.

*2 A. Lee's Life., 67. Original not in Department of State. In this and the following letter the title of the committee is given by the editor of Lee's Life as above.

You will have the goodness to present my duty to Congress, and believe me to be, with the greatest esteem and respect, gentlemen, your most obedient and most humble servant,

ARTHUR LEE.

Franklin, Lee, and Adams to the President of Congress.*

PASSY, July 29, 1778.

SIR : Mr. Livingston received a commission from us as lieutenant of the *Boston*, and made a cruise in her, in which he had the good fortune to take four prizes. He is now obliged to leave the ship, but we have the pleasure of a letter from Captain Tucker, in which he gives us a handsome character of Mr. Livingston and of his conduct during the cruise. We have also a good opinion of him, and recommend him to the favor of Congress.

We are, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin, Lee, and Adams to the Committee of Foreign Affairs.†

PASSY, July 29, 1778.

GENTLEMEN : We have the honor of your letters of May 14 and 15. We congratulate you on the general good appearance of our affairs, and we are happy in your assurances that it is your fixed determination to admit no terms of peace but such as are consistent with the spirit and intention of our alliance with France, especially as the present politics of the British cabinet aim at seducing you from that alliance by an offer of independence, upon condition that you will renounce it—a measure that will injure the reputation of our States with all the world, and destroy their confidence in our honor.

No authenticity from Congress to make an alteration in the treaty by withdrawing the eleventh and twelfth articles has yet reached us. But we gave an extract of your letter to the Count de Vergennes when we exchanged ratifications, who expressed an entire willingness to agree to it. We wish for the powers by the first opportunity. We have not yet seen M. Beaumarchais, but the important concern with him shall be attended to as soon as may be.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 301.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 301; 7 John Adams' Works, 22.

JULY 29, 1778.

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Sartine to the Commissioners.

[Translation.] *

VERSAILLES, July 29, 1778.

GENTLEMEN: I have received the letter which you did me the honor to transmit on the 16th instant. His majesty relies greatly on the successors of provisions which the government of Massachusetts Bay may furnish the islands of St. Pierre and Miquelon.

The difficulties which the privateers of the United States have experienced till now in the ports of France, either as to the sale of their prizes or to secure their prisoners must cease, from the change of circumstances. I make no doubt, on the other hand, but that the United States will grant the same facilities to French privateers. To accomplish this double object, I have drafted a plan of regulations, which I earnestly request you to examine, and to note what you think of it; or even to point out such other means as may answer the same purpose, so that I may receive his majesty's orders.

I have the honor to be, etc.,

DE SARTINE.

A. Lee to the Committee of Foreign Affairs.†

PARIS, July 29, 1778.

GENTLEMEN: I enclose you a duplicate of the news of an engagement between the fleets of France and England. The particulars received since make the loss on board the French fleet very inconsiderable, and paint the behavior of the English to have been inexpert and dastardly. The repulsing them in the first engagement will probably lead to the defeating them in the next, for which purpose the fleet of our allies will go out in a few days.

The empress and emperor seem at length sensible of the impropriety of their conduct, and in consequence a truce for six weeks is agreed on, to give time for negotiation to prevent the effusion of blood.

The quadruplicate of the ratification reached us on the 3d in safety, as all the rest have done. The answer of Congress to the commissioners was immediately sent to the ministers, and will, I am persuaded, give great satisfaction.

It has been forgotten, I believe, to mention, both in our joint and particular letters, that we have attended to the plan proposed by the committee of sending the frigates to cruise in the East Indies, and upon considering all things it seemed to us impracticable at present. Better order must be established in our marine, and the ships' companies better sorted, before it will be safe to attempt enterprises at such a dis-

* 1 Sparks' Dip. Rev. Corr., 302.

† 1 Sparks' Dip. Rev. Corr., 508; 2 A. Lee's Life, 69.

tance, and which require a certain extent of ideas in the captain and entire obedience in the crew.

The authority of Congress for omitting the eleventh and twelfth articles of the commercial treaty, which was omitted in the other dispatches, came safe in the last, and will be presented immediately to the minister, who has already agreed to have them expunged.

I enclose you our letter and Mr. Hodge's answer concerning the money expended at Dunkirk, together with a particular account of what he has received from the public banker.

I have the honor to be, etc.,

ARTHUR LEE.

Van Berckel to Dumas.*

AMSTERDAM, July 31, 1778.

SIR : I am much obliged to you for the kindness you have done in sending me the copy of the treaty of amity and commerce concluded between France and the United States of America. And as it was at the request of the plenipotentiaries of the said United States, may I venture to ask you to testify to those gentlemen the gratitude of the regency of Amsterdam in general, and my own in particular, for this mark of distinction. May we hope that circumstances will permit us soon to give evidence of the high esteem we have for the new republic, clearly raised up by the help of Providence, while the spirit of despotism is subdued ; and let us desire to make leagues of amity and commerce between the respective subjects which shall last even to the end of time. What troubles me is that it is not in our power to make the other members of the government do as we could wish ; in which case the republic would be at once disposed to another course. But I am perswaded that the Americans are too wise not to penetrate the true causes, or to attribute the inaction of until the present time to any want of esteem and affection for the United States.

This republic is full of people who think rightly, but there will be found here, as elsewhere, partisans of a certain system who, by their ignorance or stupidity, or by the wickedness of their hearts and abominable vices, hinder the people from doing as much as they could wish. I expect to hear important news in the actual circumstances of Europe, and am impatient to receive some which may have a good effect on the affair in question. I shall take care that the above-mentioned treaty does not go into bad hands, and that no copy be made before the time.

VAN BERCKEL

* 5 Sparks' Dip. Rev. Corr., 244.

[†] For other particulars on this subject, see the letters of the Commissioners to Dumas, April 10, 1778, and September 27, 1778; Berckel to Dumas, September 23, 1778.

Adams to Warren.*

PASSY, August 4, 1778.

MY DEAR SIR: Your kind favor of July 1 was brought here yesterday from Bordeaux, where Captain Ayres has arrived, but was not delivered to me till this day. This is the second only received from you. I have infinite satisfaction in learning from all parts of America the prosperous train of our affairs, and the unanimity and spirit of the people. Every vessel brings us fresh accessions of ardor to the French, and of depression to the English, in the war that has now begun in earnest.

The resolutions of Congress upon the conciliatory bills, the address to the people, the ratification of the treaty, the answer to the commissioners, the President's letter, the message of G. Livingston, and the letter of Mr. Drayton are read here with an avidity that would surprise you. It is not one of the least misfortunes of Great Britain that she has to contend with so much eloquence; that there are such painters to exhibit her atrocious actions to the world and transmit them to posterity. Every publication of this kind seems to excite the ardor of the French nation, and of their fleets and armies, as much as if they were Americans.

While American orators are thus employed in perpetuating the remembrance of the injustice and cruelty of Great Britain towards us, the French fleet has been giving such a check to her naval pride as she has not experienced before for many ages. The vessel which is to carry this will carry information of a general engagement between d'Orvilliers and Keppel, which terminated in a disgraceful flight of the English fleet. We hope soon to hear of d'Estaing's success, which would demonstrate to the universe that Britain is no longer mistress of the ocean. But the events of war are always uncertain, and a misfortune may have happened to the French fleet in America. But even if this should be the case, which I do not believe, still Britain is not mistress of the sea, and every day will bring fresh proofs that she is not. The springs of her naval power are dried away.

I have hitherto had the happiness to find that my pulse beat in exact unison with those of my countrymen. I have ventured with some freedom to give my opinion as to what Congress would do with the conciliatory bills, with the commissioners, with the treaty, etc.; and every packet brings us proceedings of Congress, according in substance, but executed in a manuer infinitely exceeding my abilities. Nothing has given me more joy than the universal disdain that is expressed both in public and private letters at the idea of departing from the treaty and violating the public faith. This faith is our American glory, and it is our bulwark. It is the only foundation on which our union can rest securely; it is the only support of our credit both in finance and

*2 Sparks' Dip. Rev. Corr., 550.

commerce; it is our sole security for the assistance of foreign powers. If the British court with their arts could shake it, or the confidence in it, we should be undone forever. They would triumph over us, after all our toil and danger. They would subjugate us more entirely than they ever intended. The idea of infidelity can not be treated with too much resentment or too much horror. The man who can think of it with patience is a traitor at heart, and ought to be execrated as one who adds the deepest hypocrisy to the blackest treason.

Is there a sensible hypocrite in America who can start a jealousy that religion may be in danger? From whence can this danger arise? Not from France; she claims no inch of ground upon your continent. She claims no legislative authority over you, no negative upon your laws, no right of appointing your bishops, nor of sending you missionaries. Besides, the spirit of crusading for religion is not in France.

The rage for making proselytes, which has existed in former centuries, is no more. There is a spirit more liberal here in this respect than I expected to find. Where has been the danger to the religion of the Protestant cantons of Switzerland from an alliance with France, which has subsisted with entire harmony for one hundred and fifty years, or thereabouts? But this subject is fitter for ridicule than serious argument, as nothing can be clearer than that, in this enlightened tolerant age, at this vast distance, without a claim or color of authority, with an express acknowledgment and warranty of sovereignty, this, I had almost said tolerant nation, can never endanger our religion.

The longer I live in Europe, and the more I consider our affairs, the more important our alliance with France appears to me. It is a rock upon which we may safely build. Narrow and illiberal prejudices peculiar to John Bull, with which I might perhaps have been in some degree infected when I was John Bull, have now no influence over me. I never was, however, much of John Bull. I was John Yankee, and such I shall live and die. Is Great Britain to be annihilated? No such thing. A revolution in her government may possibly take place, but whether in favor of despotism or republicanism is the question. The scarcity of virtue, and even the semblance of it, seems an invincible obstacle to the latter, but the annihilation of a nation never takes place. It depends wholly on herself to determine whether she shall sink down into the rank of the middling powers of Europe, or whether she shall maintain the second place in the scale. If she continues this war the first will be her fate; if she stops short in her mad career and makes peace, she may still be in the second predicament. America will grow with astonishing rapidity, and England, France, and every other nation in Europe will be the better for her prosperity. Peace, which is her dear delight, will be her wealth and her glory, for I can not see the seed of a war with any part of the world in future, but with Great Britain and such States as may be weak enough, if any such there should be, to become her allies. That such a peace may be speedily concluded,

and that you and I may return to our farms to enjoy the fruits of it, spending our old age in recounting to our children the toils and dangers we have encountered for their benefit, is the wish of your friend,

JOHN ADAMS.

Adams to R. H. Lee.*

PASSY, August 5, 1778.

MY DEAR SIR: Your letter of the 20th of June, by Captain Ayres, from Boston had a quick passage. He sailed on the 4th of July, and your letters were brought to Passy from Bordeaux, where she arrived the 3d of August.

I thank you, sir, for the kind expressions of your obliging anxiety for me. The uncertainty in which you remain so long concerning the fate of the *Boston* must have been occasioned by the capture of many vessels by which the news was sent, together with many bundles of English newspapers and pamphlets. The prompt ratification of the treaties, as well as the dignity with which you have received the letters from the British commissioners, has given great satisfaction here. The two articles, the Count de Vergennes agreed, when we presented your instructions to him on that head, should be given up.

The confederation is an important object, and nothing is more wished for in Europe than its completion and the finishing of the separate governments. The eagerness to complete the American code, and the strains of panegyric in which they speak and write of those parts of it which have been published in Europe, are very remarkable, and seem to indicate a general revolution in the sentiments of mankind upon the subject of government. Our currency can not engage our attention too much. And the more we think of it, the more we shall be convinced that taxation, deep and broad taxation, is the only sure and lasting remedy. Loans in Europe will be very difficult to obtain. The powers at war, or at the eve of war, have such vast demands, and offer terms so much better than ours, that nothing but sheer benevolence to our cause can induce any person to lend us. Besides, a large foreign debt would be a greater evil, for what I know, than a paper currency. Moreover, your large drafts on the commissioners here, from various quarters, are like to consume more money than we can borrow. We shall do, however, all we can.

I have hitherto had the good fortune to preserve a good understanding with the gentleman you mention,† and shall endeavor to continue it. I have long known him to be employed very ably and usefully for our country, and his merits and services, his integrity and abilities, will induce me to cultivate his friendship, as far as I can consistently

* MSS. Dep. of State; 2 Spark's Dip. Rev. Corr., 552.

† Arthur Lee.

with the public service. I wish I could converse with you freely upon this subject, but it would lead me into too long a detail. It has given me much grief, since my arrival here to find so little harmony among many respectable characters, so many mutual jealousies, and so much distrust of one another. As soon as I perceived it, I determined neither to quarrel with any man here because he had quarreled with another, or because another had quarreled with him, nor to make any man my bosom friend because he was the bosom friend of any other; but to attend solely to the public service, and give my voice upon all occasions as I should think that justice and policy required, whether it agreed with the opinion of one man or another. I can not be more particular. If I were to take every man's word, I should think there was not one disinterested American here, because it is very certain that there is nobody here that everybody speaks well of. There is no doubt to be made that private interest has some influence here upon some minds, and that our mercantile affairs and competitions have occasioned some altercation. But there is, I think, rather more of mutual reproaches, of interested views and designs, rather more of animosity among the Americans here, than I remember to have seen anywhere else. I will have nothing to do with any of these things. I will have nothing to do with designs and endeavors to run down characters, to paint in odious colors indifferent actions, to excite or propagate suspicious without evidence, or to foment or entertain prejudices of any kind, if I can possibly avoid it. I am really ashamed to write to you in this enigmatical manner, which is not natural to me; but I know not how to write clearer at present. I sometimes differ in sentiment from each of my colleagues, and sometimes agree with each; yet I do not trim, or at least I think I do not. It has been and shall be my endeavor to heal and reconcile to the utmost of my power. Yet I fear that some gentlemen are gone over to America heated with altercation and inflamed with prejudice. Others still remain here, it is to be feared, in the same temper of mind, and probably many letters have gone over loaded. These things will probably make you uncomfortable, as they have and will make us. I really wish, however, that you would remove the cause of this, and appoint consuls to do the mercantile business. If you do not, however, I am determined to go on, giving my voice clearly and without equivocation, and at the same time without wrangling or ill will.

We expect on Sunday, the 9th, the English accounts of the sea fight between d'Orvilliers and Keppel, which happened on the 27th ultimo, in which the former obtained the laurels, whatever representation the latter may make of it. There are so many facts, attested by so many respectable witnesses, that there is no room to doubt but that the Britons lost the day; a terrible loss indeed to a nation who have the empire of the sea to maintain in order almost to preserve their existence. It is not being equal to France at sea; they must support a

clear and decided superiority not only to France, but to France and Spain in conjunction, not to mention our States, in order to preserve their rank among the powers of Europe. My tenderest respects to all good men.

I am, dear sir, affectionately yours,

JOHN ADAMS.

Arthur Lee to Committee of Correspondence.*

AUGUST 7, 1778.

GENTLEMEN: The enclosed paper, letter A, was communicated secretly by Dr. Bancroft to Dr. Franklin and Mr. Adams, the latter of whom delivered it to me. Though according to the charge of it I was the person immediately injured by the conduct of him they accuse, yet it was me particularly that they took care not to apprise of what he was doing.

What I know of the matter is this, Mr. Thornton, or as I find him called in the papers left by Mr. Deane, Major Thornton, the object of their accusation, was chosen by my colleagues to carry our first letter to Lord North concerning the treatment of prisoners in England. This was the first knowledge I had of him.† Having observed that he executed his commission with activity and address, and he being recommended to me by Dr. Franklin, I took him as a secretary, and with the intention of making use of his acquaintance in the naval and military lines in England.

With this view I soon after sent him to London, from whence he transmitted and brought me useful intelligence, which I communicated from time to time to the ministry. Being about to send him again, I understood that Dr. Bancroft had whispered about that he was engaged in stockjobbing. Upon touching this matter to Mr. Thornton he told me that he knew Dr. Bancroft and the Whartons were engaged in stockjobbing, for the latter had communicated to him all their transactions and mutual correspondence; that one of them had repeatedly solicited him when in London to become an adventurer with them, which he had constantly refused, and that upon his return to Paris he was pestered with letters requesting his correspondence, which he would never answer. As a proof of this he put into my hands the letter marked D. This, with the previous knowledge I had of his accusers being themselves stockjobbers, satisfied me that the charge was malicious. I therefore continued him in his employment, and dispatched him to London, with directions to go to Portsmouth and Plymouth and collect the most accurate statement he could of the force and condition of the enemy's fleet. This he executed with such secrecy that this Mr. Wharton wrote to him in Paris while he was at Plymouth, of which letter Dr.

* MSS. Dep. of State; 2 A. Lee's Life, 70, with variations and omissions.

† As to Thornton's treachery, see Introduction, § 207.

Pringle, of South Carolina, was the bearer. It was directed to be delivered to Dr. Bancroft in Mr. Thornton's absence. When I understood this transaction, I apprehended that they had seduced him into their association. I therefore wrote him very strongly on the subject, and desired him to return immediately to Paris. His answer was that he was then sick, but would come as soon as recovered. Since that I have not heard from him, but have had information from a very respectable merchant in London that Mr. Wharton has communicated to him doubts of Mr. Thornton's fidelity to me, assuring him that he had given me full information of it and all the particulars of his conduct; not a word of which was true. It appears, too, by his own letters and Captain Livingston's testimony that there is as little truth in his declaration of Mr. Thornton being a stranger to him. Though he says he lent him money on my account, yet he never informed me of his having done so. I have not, nor ever have had, the least acquaintance with Mr. Wharton, but have been frequently informed of his holding conversations not very friendly to me. Upon the whole, it appears to me that their plan was to seduce my secretary to the very infidelity of which they accuse him. I can not help thinking that the pieces * which it is said Mr. Thornton communicated to Mr. Wharton were framed for the purpose of this accusation from hints sent from hence, because there is a confusion, a blundering, and a mixture of true and false in them which might well arise from intelligence picked up, and could not have happened if my secretary had taken copies of any of my papers for the purpose of betraying them. It is certain that the persons who have made this accusation were trusted with our state secrets after we were credibly informed of their being engaged in stockjobbing, and at a time when that confidence was absolutely refused to the other two commissioners of Congress, Mr. Izard and Mr. William Lee. You will see by our banker's account that about the time of their stockjobbing upon the most sacred state secret that ever was committed to us Mr. Deane remitted to Mr. Samuel Wharton 19,520 livres. These are the observations which I think it my duty to communicate to you upon these most unworthy transactions, being fully satisfied that while such men are admitted into public confidence here neither the business of the State nor the honor of individuals can be secure from their attempts.

A. LEE.

Deane to Washington.†

PHILADELPHIA, August 12, 1778.

DEAR SIR: I had the pleasure of receiving your polite and friendly letter of the 25th ultimo but three days ago, and Colonel Bannister informing me he should set out in a day or two for the Army prevented

* "Statements" in the version in A. Lee's Life.

† MSS. Dep. of State.

my instantly writing to tell you how happy I am to find that my conduct has met your approbation, and how much I consider myself honored by it. Next to the satisfaction which rises from a consciousness of having faithfully and successfully served one's country (a satisfaction which no one in the world can enjoy to a greater degree than yourself) a generous mind must ever esteem that which flows from the approbation of persons of your distinguished character and merit. My design is to reembark for France in a few months, but whether in a public character or not is uncertain. I have not as yet learned, except from the information of my friends in private, what were the reasons for my being recalled, and though I have understood by their and by the general conversation of others that it is expected that I return to France in a public character, yet as the affairs I was engaged in for the public, which I was obliged to leave unsettled, oblige me to return, though it should be in a private character. I have not been solicitous about the resolutions that may be taken on the subject. The reception of the French minister and other affairs which have engaged the attention of Congress since my return has prevented my having a public audience, but I expect one in a few days, after which I shall do myself the honor of paying you a visit at headquarters, and am in hopes that his excellency M. Gerard will visit you at the same time. He is very desirous of an opportunity of paying personally his respects to one for whom he as well as his nation, and I may add all the brave and generous in Europe, have the highest esteem. I promise myself the pleasure of communicating many things in a personal conversation which may be agreeable and entertaining to you, but which can not so well be put into a letter; meantime I have taken the liberty of enclosing the copies of a letter from M. de Vergennes to the President of Congress, of one from him to me, and of one from Dr. Franklin to the President. I send them, because I think it will be agreeable to you to find that the sentiments entertained of me by his majesty and the court of France and by our mutual friend have been similar to those which you have honored me with. I most sincerely congratulate you on the favorable prospects before us, happily owing to the perseverance and bravery of your army in a principal degree, and though I have not had the honor of sharing with you the dangers and the honors of the field, yet no one has or can ever be more sensibly affected and interested by both the one and the other.

In hopes that I shall soon have the honor of waiting on you in person, I am, with the most sincere respect, etc.

SILAS DEANE.

A. Lee and Adams to Sartine.*

PASSY, August 13, 1778.

SIR: Your excellency's letter of the 29th of July, enclosing a plan for a system of regulations for prizes and prisoners, we had the honor of receiving in due time, and are very sorry it has remained so long unanswered.

In general, we are of opinion that the regulations are very good; but we beg leave to lay before your excellency the following observations:

Upon the second article we observe, that the extensive jurisdiction of the judges of admiralty in America, which, considering the local and other circumstances of that country, can not easily be contracted, will probably render this regulation impracticable in America. In France it will, as far as we are able to judge of it, be very practicable, and consequently beneficial. But we submit to your excellency's consideration whether it would not be better in America, after the words "*les dites juges*," to add—"or the register of the court of admiralty, or some other person authorized by the judge." The jurisdiction of the court of admiralty in America extending for some hundred miles, this regulation would be subject to great delays, and other inconveniences, if it was confined to the judge. The fourth article seems to be subject to the same inconveniences, and therefore to require the same amendment.

Upon the fourteenth article, we beg leave to submit to your excellency's consideration whether the heavy duties upon British merchandise and manufactures, if these are to be paid upon prize goods, will not operate as a great discouragement to the sale of prizes made by American cruisers; and whether it would be consistent with his majesty's interest to permit merchandise and manufactures taken in prizes made by Americans to be stored in his majesty's warehouses, if you please, until they can be exported to America, and without being subject to duties.

We know not the expense that will attend these regulations and proceedings in the courts of this kingdom; but as the fees of office in America are very moderate, and our people have been accustomed to such only, we submit to your excellency whether it will not be necessary to state and establish the fees here, and make the establishments so far public that Americans may be able to inform themselves.

As we are not well instructed in the laws of this kingdom, or in the course of the courts of admiralty here, it is very possible that some inconveniences may arise in the practice upon these regulations which we do not at present foresee; if they should, we shall beg leave to represent them to your excellency, and to request his majesty to make the necessary alterations.

* 1 Sparks' Dip. Rev. Corr., 303; 7 John Adams' Works, 23.

We submit these observations to your excellency's superior wisdom, and have the honor to be, with sentiments of the most perfect respect, your excellency's most obedient and most humble servants,

ARTHUR LEE.

JOHN ADAMS.

P. S.—Dr. Franklin concurs with us in these sentiments, but as he is absent, we are obliged to send the letter without his subscribing.

Gardoqui to A. Lee.*

MADRID, August 13, 1778.

DEAR SIR: My last respects went to you under the 23d ultimo; and referring you to my sequels with regard to your desires of me in money matters, I must beg leave to inform you that the proposal you have made for borrowing money through the hands of a nobleman at your place is received, and that you being served therewith would give your friends on this side a real pleasure; but I am sorry to tell you that it is impossible for the present. You will please to observe and consider upon the immense charges occasioned within these two or three years, and that all is done merely on account of your present quarrel, as likewise that such formidable preparations have been and will still be of infinite service to the Americans; besides which, it is well known to yourself, and more so to your worthy constituents, that great succors have been sent forthwith through various channels, and that the same is continued to this day, and will be so in future as much as possible.

In short, it is not doubted but you will represent the whole to your constituents, looking upon all in its true light, and observing that if affairs should be accommodated to their satisfaction and that of this side the means of succoring you would be facilitated.

I am, sir, your most obedient, humble servant,

JAMES GARDOQUI.

John Paul Jones to the Commissioners at Paris.†

BREST, August 15, 1778.

GENTLEMEN: I have now been five days in this place, since my arrival from Passy, during which time I have neither seen nor heard from Lieutenant Simpson. But Mr. Hill, who was last winter at Passy, and sailed with me from Nantes, informs me truly, that it is generally reported in the *Ranger*, and of course through the French fleet and on shore, that I am turned out of the service, and that you, gentlemen, gave Mr. Simpson my place, with a captain's commission; that my letter of the

* 1 Sparks' Dip. Rev. Corr., 509.

† 1 Ibid., Rev. Corr. 304.

16th of July to you was involuntary on my part, and in obedience only to your orders to avert dreadful consequences to myself. These, gentlemen, are not idle, ill-grounded conjectures, but melancholy facts; therefore, I beseech you, I conjure you, I demand of you, to afford me redress—redress by a court-martial, to form which we have now a sufficient number of officers in France, with the assistance of Captain Hinman, exclusive of myself. The *Proridenee* and the *Boston* are expected here very soon from Nantes, and I am certain that they neither can nor will depart again before my friend Captain Hinman can come down here, and it is his unquestioned right to succeed me in the command of the *Ranger*.

I have faithfully and personally supported and fought for the dignified cause of human nature ever since the American banner first waved on the Delaware and on the ocean. This I did when that man did not call himself a republican, but left the continent and served its enemies; and this I did when that man appeared dastardly backward, and did not support me as he ought.

I conclude by requesting you to call before you and examine for your own satisfaction Mr. Edward Meyers, who is now at the house of the Swedish ambassador, and who, having been with me as a volunteer, can and will, I am persuaded, represent to you the conduct of the officers and men towards me, both before I left Brest and afterwards in the Irish channel, as well as my conduct towards them.

I have the honor to be, with sentiments of due respect and esteem,
your very obliged and very humble servant,

JOHN PAUL JONES.

Sartine to the Commissioners at Paris.

[Translation.*]

VERSAILLES, August 16, 1778.

GENTLEMEN: I take the earliest opportunity to answer the observations addressed to me in the letter which you did me the honor to write me the 13th instant on the project of a regulation for the prizes and prisoners of the respective United States. I conceive that I have fulfilled the object by digesting anew the second and fourteenth articles, of which I annex another text, with copies of the different laws that have been lately published respecting prizes. Moreover, I will at all times receive with pleasure your representations of the inconveniences which may attend, in your opinion, the execution of the regulation, and you may be assured that his majesty will be always disposed to grant the inhabitants of the United States every facility compatible with the interests of his finances and the commerce of his subjects.

I have the honor to be, etc.,

DE SARTINE.

* 1 Sparks' Dip. Rev. Corr., 305.

REGULATIONS FOR PRIZES AND PRISONERS.*

By the King: His majesty, desirous of making known his intentions, as well with respect to the prizes which his subjects may carry into the ports of the United States of America, as also respecting admitting into his own ports the prizes made by American privateers, and calculating on the perfect equality which constitutes the basis of his engagements with the said United States, he has ordained and does ordain as follows:

ARTICLE I. French privateers shall be permitted to conduct and cause to be conducted the prizes made from his majesty's enemies into the ports of the United States of America to repair them, so as to proceed again to sea, or to sell them definitively.

ART. II. In the case of simple anchoring, the conductors of prizes shall be bound to make, before the judges of the place, a summary declaration containing the circumstances of the capture and motives of anchoring, and to request the said judges to go on board the captured prizes and seal up such places as may admit of it, and make out a short description of what can not be contained under the said seals, the state of which shall be verified in France by the officers of the admiralty, on the copy which the officer conducting the prize shall be obliged to report.

ART. II (ameudé). In case of simple anchoring, the captains conducting the prizes shall be bound to make, before the judges of the place, their secretaries, or other persons authorized by them, a summary declaration containing the circumstances of the capture and motives of anchoring, and to request the said judges, their secretaries, and other persons authorized by them, to go on board the captured vessels and seal up such places as may admit of it, and make out a short description of what can not be contained under such seals, the state of which shall be verified in France by the officers of the admiralty, on the copy of which the officer conducting his prize shall be bound to report.

ART. III. His majesty, nevertheless, permits captains conducting prizes to sell in the ports of the United States either perishable merchandise or such other as may supply the wants of the vessels during the time of their stay. The said conductors of prizes shall be bound to ask permission from the judges of the place for this purpose in the ordinary form, and proceed to the sale by the public officers appointed for that purpose, and to report copies as well of the proceeding as of the verbal process of the sale.

ART. IV. The prize-masters, who shall be authorized by the owners or captains of the capturing privateer to sell the said prizes in the ports of the United States, shall be obliged to make before the judges a detailed report, which shall afterwards be verified in the hearing of at least two of their crew, and to request the said judges to go directly on board of the prizes to make out a verbal process, seal up the hatches and cabin, take an inventory of what can not be sealed, and appoint sequestrators; which judges shall proceed afterwards to interrogate the captain, officers, and other persons of the crew of the captured vessel to the number of two or three, or more if it is judged necessary, and shall translate the useful papers on board, if there are interpreters, and annex compared copies of the said useful papers to the minutes of the proceedings, to have recourse to them in case of necessity, as is prescribed for prizes conducted into the ports of the kingdom by the forty-second article of the declaration of the 24th of June last.

ART. V. As soon as the copies of the said proceedings and the original papers and translations shall have been addressed to the secretary-general of the marine at Paris for process in judgment by the council of prizes, the captain, or his agent, may require the provisional sale of the merchandise and effects subject to perishing, and even the definitive sale of the prizes, and all the merchandise of their cargos, whenever they shall evidently appear the enemy's property from the papers on board, and the interrogatories of the prisoners, in the manner that shall be ordered

* Translation in 1 Sparks' Dip. Rev. Corr., 306.

by the judges of the places, and as is prescribed for prizes conducted into the ports of the kingdom by the forty-fifth article of the said declaration of the 24th of June last.

ART. VI. The discharge, inventory, sale, and delivery of the said prizes and merchandise shall be made agreeable to the formalities practised in the ports of the United States. The captains, conductors of prizes, shall be bound to report the particular liquidations or summary statements of the proceeds of the said prizes and expenses incurred on their account, that the said particular liquidations or summary statements may be deposited by the owner, or the secretary of the admiralty, at the place of outfit, agreeable to the fifty-seventh article of the declaration of the 24th of June last, to which secretary the judgments and prize papers shall be sent in order to be registered.

ART. VII. All the prisoners that shall be found on board either of the French privateers that shall come to anchor in the ports of the United States, or on board the prizes which shall be brought there, shall be immediately delivered to the governor or magistrate of the place, to be secured in the name of the king, and maintained at his expense, as shall likewise be done in the French ports with respect to the prisoners made by the American privateers. The captains who carry back their prizes to be sold in the ports of the kingdom shall, nevertheless, be bound to carry with them two or three principal prisoners, in order to be interrogated by the officers of the admiralty, who shall make the inquiry.

ART. VIII. The privateers of the United States may conduct, or cause to be conducted, their prizes into the ports belonging to his Majesty, whether for the purpose of anchoring and remaining there until they are in a condition to proceed again to sea, or for the purpose of selling them definitively.

ART. IX. In case of simple anchoring, the prize-masters shall be bound to make, within twenty-four hours after arrival, their declaration before the officers of the admiralty, who shall go on board of the vessels, in order to seal up such places as may admit of it, and to make a brief description of what can not be comprehended under the said seals, without allowing anything to be landed from on board of the said prizes, under the penalties contained in his Majesty's arrêts and regulations.

ART. X. His Majesty, nevertheless, permits the said American privateers to sell in his ports either the perishable merchandise, or such other, in order to defray the expenses of the vessels during the time of their being in port, charging them to request permission from the officers of the admiralty, in presence of whom the said sale shall be made.

ART. XI. When the subjects of the United States would wish to sell their prizes in the ports of the kingdom, the captain who shall have made the prize, or the officer intrusted with bringing it in, shall be bound to make, before the officers of the admiralty, a detailed report, which shall be verified in the hearing of at least two of their crew; the officers of the admiralty shall go immediately on board of the prize, to make out a verbal process, seal the hatches and cabins, make an inventory of what can not be sealed, and appoint keepers; they shall afterwards proceed to interrogate the captains, officers, and other people belonging to the crew of the prize; shall cause the useful papers on board to be translated, of which they shall annex compared copies to the minutes of the proceedings; and the original and translated pieces, as also the copies of the said proceedings, shall be sent to the deputies of the United States at Paris.

ART. XII. The captains, conductors of prizes, or their agents, may request the officers of the admiralty to proceed to the provisional sale of such merchandise and effects as are subject to perish, and even to the definitive sale of the prizes, and of all their merchandise on board, when they shall appear to have belonged to the enemy, from the papers on board and the information of the prisoners, in the same manner as is prescribed for the prizes taken by French privateers by the forty-fifth article of the declaration of the 24th of June last.

ART. XIII. The discharge, inventory, sale, and delivery of the said prizes shall be made in presence of the officers of the admiralty, whose fees, either for discharging, inventory, or sale, shall be reduced one-half, agreeable to the terms of the fifty-second article of the declaration of the 24th of June last. The said officers shall not proceed to a particular liquidation of the proceeds of the prizes until they shall be required by the parties concerned; and, in every case where the delivery of several copies is required, no more shall be paid to the register for the second and third than the price of the stamped paper and the expense of writing.

ART. XIV. It is his Majesty's pleasure that the arrêt of his council, by which, agreeable to the second article of the 24th of June last, it shall be determined what kind and quality of merchandise, proceeding from prizes, shall be consumed in the kingdom, as also what duties they shall be subject to, shall likewise extend to the merchandise proceeding from prizes taken by American privateers, who are charged to fulfill the formalities prescribed by the arrêts and regulations.

ART. XIV, amended. It is his Majesty's pleasure that the arrêt of his council, by which, agreeable to the second article of the 24th of June last, it shall be determined what kind and quality of merchandise, proceeding from prizes, shall be consumed in the kingdom, as also what duties they shall be subject to, shall likewise extend to the merchandise proceeding from prizes taken by American privateers, who are charged to fulfill the formalities prescribed by the arrêts and regulations, especially with respect to the merchandise which they would export, whether to the ports of the United States, or to all other foreign countries; and that they shall be permitted for this purpose to keep them during a year in the magazines of deposit free from all duty.

ART. XV. The American privateers may deliver in the ports, to the commissioners of the ports and arsenals of the marine, the prisoners they may have on board. His Majesty will give orders that the said prisoners shall be conducted, guarded, and maintained in the name and at the expense of the United States.

Dumas to M. Van Berckel.*

THE HAGUE, August 17, 1778.

SIR: I have had the honor of informing you that I intended answering your favor of the 31st of July last, wherein you did me the honor of charging me to send to the plenipotentiaries of the United States of America, in Paris, the testimony of the satisfaction that had been given to the honorable regency of your city, and to you in particular, by the transmission of a copy of their treaty of amity and commerce with France. Not only has your request been complied with by transmitting to those gentlemen a copy of your letter, but I did more; for having occasion at the same time to write to America directly, I have added another copy for Congress. That body, therefore, will, without delay, be informed of the benevolent sympathy which the republic in her turn feels for her worthy sister, as also of the happy effects which this sympathy can not fail to produce, when the obstacle unfortunately attached to the ship shall have lost the power of obstructing her progress. Meantime, continue, sir, by your patriotic efforts to clear away difficulties, to provide means, and to hasten the moment of a connection so desirable on both

* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 245.

sides, and present and future generations will bless your name and your memory.

You will have seen by the gazettes, and especially by that of Leyden, with what unanimity and dignity the United States disdained the propositions, injurious to their good, great, and august ally, as well as their own majesty, made to them by the British commissioners. I have in hand and will show you the authentic proofs of this, as well as of the horror which the Americans have of ever returning under the iron sceptre they have broken. This confounds the falsehoods that have been uttered and kept up with so much complacency in this country. Will they never cease to give credit to such impudent assertions? I can not forbear to transcribe what a friend* has written me. This friend does not know in detail what I have been doing here. He had asked me how I advanced. I had told him *festina lente*.

"In general," says he, "I am not disposed to precipitation, especially in important affairs. But I can not help saying that there may be some danger of the good people in Holland losing some advantages in commerce with America by their too great caution. I have reason to believe that the British ministry have already sent orders to their commissioners to give up the point of independence, provided they can obtain some exclusive benefit in America."

I wish, however, that we could concert some new movement. There is yet time to think of it before the meeting of the assembly. In all that concerns myself I can only promise my best efforts.

I have the honor to be, etc.,

DUMAS.

Franklin, Lee, and Adams to Sartine.†

PASSY, August 18, 1778.

SIR: We embrace this first opportunity to answer the letter which your excellency did us the honor to address to us the 16th of this month.

We have examined, with some attention, the alterations which your excellency has made in the second and fourteenth articles of the projected regulations, and are of opinion that they will remove the difficulties we apprehended from the first draught.

We thank your excellency for the obliging expressions of your readiness to receive any representations which we may hereafter have occasion to make of inconveniences arising in the execution of these regulations, which, however, we hope will not occur. We submit the

* William Lee, who was at this time in Frankfort.

† 1 Sparks' Dip. Rev. Corr., 310.

whole to you excellency's deliberation and decision, and are, with sentiments of the sincerest respect, your excellency's most obedient humble servants.

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

John Paul Jones to Whipple.*

BREST, *August 18, 1778.*

SIR: I request that you will summon a court martial for the trial of Lieut. Thomas Simpson, with whose conduct I have been and am unsatisfied, and who is now under suspension for disobedience of my written orders.

I am, sir, with due regard, your most humble servant.

JOHN PAUL JONES.

Whipple to John Paul Jones.†

BREST, *August 19, 1778.*

SIR: I am honored with your letter of this day, requesting that I will summon a court-martial for the trial of Lieut. Thomas Simpson, with whose conduct you have been, and are, unsatisfied, and who, you say, is under suspension for disobedience to your written orders. Having maturely considered the contents of your letter, and with as much accuracy as possible attended to every particular, I return for answer the subjoined reasons, which will at once explain the impossibility of calling a court-martial, and fully acquaint you with my sentiments on that subject.

You are sensible that the continental regulations have expressly ordered that a court-martial shall consist of at least three captains, which is impossible, as Captain Hinman declines to sit, he expecting a court of inquiry upon his own conduct on his arrival in America; and, having assigned a reason of so forcible a nature, I think he is acting a part at once prudent and becoming.

You will permit the remark that, by Lieutenant Simpson's parole, taken by yourself June 10, 1778, Lieutenant Simpson engaged, on his parole of honor, to consider himself as under suspension till he shall be called upon to meet you face to face before a court-martial, unless you should, in the mean time, release him from his parole, which I conceive that you have done by your letter of the 16th of July to the honorable commissioners, where you mention that you are willing to

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 310.

† 1 Sparks' Dip. Rev. Corr., 311.

let the dispute drop forever by giving up that parole, which would entitle Lieutenant Simpson to the command of the *Ranger*; that this, as you bore no malice, would be making him all the present satisfaction in your power, provided that you had injured him; and that you will trust to himself to make an acknowledgment if, on the contrary, he has injured you. In my opinion, this is giving up his parole in the most ample manner, as it does not appear to me that you made, by letter or otherwise, any compact or agreement with Lieutenant Simpson that he should make any concessions on his part, or anything of that nature; neither that he was to be answerable to a court-martial when the supposed crime was blotted out for which he was at first responsible.

I believe that the honorable commissioners accepted it in the same light, as, by their letter of the same date, it would seem you gave them the greatest satisfaction in affording them an opportunity to reinstate Lieutenant Simpson on board the *Ranger*. The commissioners further order him to take the command of the *Ranger*, as her first lieutenant, and to join me and to obey my orders, all which sufficiently evinces that Lieutenant Simpson is no longer considered as under suspension, and, consequently, can not be responsible to a court-martial for disobedience to written orders from you, from which he is amply released by your voluntary surrender of his parole. However, if this explanation, attempted to be made in the most candid manner, should not prove agreeable, I beg leave to refer you to the absolute impossibility of calling a court-martial, agreeable to the resolves of Congress, and flatter myself that you will believe me to be, with due respect, sir, your most obedient and most humble servant,

ABRAHAM WHIPPLE.

Gardoqui to A. Lee.*

MADRID, August 20, 1778.

DEAR SIR: I confirm my last compliments to you under the 13th instant, wherein I observed how difficult it would be to borrow the two millions sterling here, under the present circumstances, more especially while the enormous charges and fitting out of vessels are carried on merely to protect your colonies, which are besides assisted with effective succors, and will be so in future as much as possible. Since my letter I have maturely considered upon the matter, and it has occurred to me that if your Government means by it to take up all the paper that has been laid out, perhaps the cession of Florida to Spain (in case you could reduce it) might at the conclusion of peace produce, if not the whole, at least a great part of the funds required.

You will no doubt consider that I can not penetrate the way of thinking of our court in this and other entangled matters, but judging like

* 1 Sparks' Dip. Rev. Corr., 509.

a merchant, I think a negotiation of this kind might well take place, for I imagine it would be proper for both that the frontier in question should not remain in future in the hands of enemies or suspicious powers. There is besides a further negotiation which might be added to the great benefit of your States and this court, and that is your providing this kingdom with good timber for the Spanish navy at commodious prices.

I hope, sir, you will excuse my liberty in pointing out these hints, to which I am led by the honest principle of friendship, and by the wished-for view that the interest of both countries may be united upon a sincere and lasting footing; therefore I hope you will weigh the same as you may think more convenient, observing that I suppose you will not propose it to our court before you know how the honorable Congress think, upon both objects.

I am, with unfeigned esteem, etc.,

JAMES GARDOQUI.

A. Lee to the Committee of Foreign Affairs.*

PARIS, August 21, 1778.

GENTLEMEN: I wrote you on the 28th ultimo of my having pressed for the loan directed by Congress. I have received an assurance through the ambassador that an answer will be given to my memorial as soon as possible.

I enclose you a memorial for the consideration of Congress, as we do not think ourselves authorized to act upon it without express orders. Could one be sure that justice would be done to the public, it might be of advantage to adopt this scheme, for Congress must not trust to the

* 1 Sparks' Dip. Rev. Corr., 510. In 2 A. Lee's Life, 72, this letter opens as follows:

"GENTLEMEN: I had the honor of writing to you on the 7th instant, enclosing Mr. Williams' accounts, those of Mr. Hodge, and Dr. Baucroft's accusation against my secretary, with some observations upon it by Lieutenant Livingston.

"I send you our banker's account from the beginning, with the explanation left by Mr. Deane. Nothing of moment has happened since I wrote you last.

"We are pretty well informed that the British cabinet has resolved to acknowledge your independency. It does not seem to me that they can possibly avoid doing so in a year's time on any conditions that may be prescribed to them. Such certainly is their exhausted state in every respect, that an attempt to carry on a war against the United States and France combined, and supported, as the latter are sure of being, by Spain, is such an act of folly as can not but end speedily in their utter confusion.

"Be so good as to inform Mr. Robert Morris that in consequence of his letter to my brother William, he has written to Dr. Franklin and myself, requesting us to deliver to Mr. Ross all the papers among those of the late Mr. T. Morris which do not concern the public agency. This shall be complied with on my part whenever Mr. Ross desires it; the trunk, locked and sealed, having been left with Dr. Franklin, and the keys with me."

The remainder is substantially as in the text.

success of a loan, which, for the following reasons, I apprehend will be found impracticable.

The war in Germany supervening on that between us and Great Britain, and the preparations for it by France and Spain, have raised and multiplied the demand for money, so as to give the holders of it their choice and their price. The empress queen has engrossed every shilling in The Netherlands. England has drawn large sums from the Hollanders, who can not easily quit their former market. France is negotiating a loan of one hundred million livres, which will exhaust Geneva and Switzerland. The money-holders regard the lending their money at such a distance as Jacob did the sending Benjamin into Egypt, and it is time only will make them endure the thought of such a separation.

These are the difficulties which the circumstances of things oppose to our scheme of a loan, and render the aid of some other operation necessary for sinking the superabundant paper.

The minister's answer relative to M. Holker was that he had no authority from this court; but on this our joint letter I expect will be more full. I have determined to write to you once a month, or oftener, as opportunity offers, and as we do not write so frequently, I am tempted to mention things which should properly come from all the commissioners, as they relate to the joint commission.

From the necessity of the case we have ventured to administer the oath of allegiance to those who desire passports of us; but I hope Congress will authorize their commissioners to do so where it is necessary.

I have the honor to be, etc.,

ARTHUR LEE.

Franklin, Lee, and Adams to John Paul Jones.*

PASSY, August 22, 1778.

SIR: We have received your letter of the 15th, and have written to Captain Whipple to appoint a court-martial for the trial of Lieutenant Simpson, provided there is a sufficient number of officers to constitute one. This, however, is not to make any change in his command of the *Ranger* until the trial is over; nor then, unless the judgment of that court is against him.

We are, sir, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

* 1 Sparks' Dip. Rev. Corr., 312.

AUGUST 25, 1778.

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Izard to the Commissioners at Paris.*

PARIS, August 25, 1778.

GENTLEMEN: In a letter which I have lately received from Florence, and which I have had the honor of laying before you, it is recommended that an endeavor should be made to interest the ministry in favor of any loan that may be attempted in Genoa for the United States, as it is probable the Genoese may require the security of the Court of France for the payment of such sums as they may have it in their power to lend. The ministry must be convinced of the ability of America, in a few years after the establishment of peace, to discharge any pecuniary engagement she may at present have occasion to enter into, and the connection which subsists between the two countries will, I hope, induce them to afford us every assistance in their power. I shall be glad to know whether you think I ought to apply to Count de Vergennes on the subject, or that the application should be made first by you; in either case, I shall be ready to coöperate with you, or act in any manner that shall appear most likely to produce the desired effect.

Captain Woodford, who has lately arrived in this city from Leghorn, informs me that there are some merchants there inclined to enter into the American trade. He is to command a vessel from that port, and is apprehensive of meeting some of the cruisers belonging to the states of Africa. This danger will probably deter many Americans from entering into the Mediterranean trade, and, if possible, it should be removed. The King of France, in the eighth article of the treaty of commerce, has engaged to employ his good offices and interposition with the Emperor of Morocco, and with the regencies of Algiers, Tunis, and Tripoli, and every other power on the coast of Barbary, in order to provide as fully as possible for the convenience and safety of the inhabitants of the United States, and their vessels and effects, against all violence, insult, attacks, or depredations on the part of the said princes and states of Barbary and their subjects.

You will be so good as to inform me whether any steps have been taken by the court of France for the security of the inhabitants of the United States in consequence of the above article.

I have the honor to be, etc.,

RALPH IZARD.

Franklin, Lee and Adams to Izard.†

PASSY, August 25, 1778.

SIR: We have the honor of your letter of this date, and shall give the earliest attention to its contents.

We apprehend there would be no impropriety at all in your applica-

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 691.

† *Ibid.*, 693.

tion to his excellency the Count de Vergennes concerning the subject of a loan in Genoa, and we wish that you would apply. As we wish, however, to do everything in our power to procure you success, we shall do ourselves the honor to propose the subject to his excellency the first time we see him, which will probably be to-morrow, when we shall make an application to him also upon the other subject of your letter, the interposition of his majesty with the Emperor of Morocco, and with the regencies of Algiers, Tunis, Tripoli, and every other power on the coast of Barbary.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

AUGUST 27.

P. S.—Since writing the foregoing, we have spoken of the Genoese loan to Count de Vergennes, who gave us no encouragement to hope that France would engage for us in that affair. The other matter will be the subject of a proposed written memorial.

Adams to Laurens, President of Congress.*

PASSY, August 27, 1778.

SIR: I have the honor to enclose the last gazettes, by which Congress will see the dearth of news in Europe at present. We expect an abundance of it at once soon, as we have nothing from America since the 4th of July.

The French fleet went out again from Brest the 17th, but we have not yet heard that the English fleet is out. While the two fleets were in the harbor, the British East India fleet and another small West India fleet got in; a misfortune of no small moment, as the British finances will receive by means of it a fresh supply of money for the present, and their fleet a considerable reënforcement of seamen.

I have the honor to be, with the highest respect, etc.,

JOHN ADAMS.

A. Lee to Gardoqui.†

PARIS, August 27, 1778.

DEAR SIR: I received yesterday your favor of the 13th. If I remember rightly what made me delay writing to you relative to the bills was my desire of informing you, at the same time, of their being accepted;

* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 555.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 511.

and it was long before I could learn that myself, from the manner in which they were drawn. I am very sorry it did you any disservice.

I am neither unmindful of, nor ungrateful for, the support we have received from your quarter. The inevitable necessity which compelled an application for more gave me great uneasiness. I was sensible the sum desired was very considerable. But so are our wants. It is our misfortune, not our fault, that we are obliged thus to trouble and distress our friends. I trust they will consider it in that light. There is nothing more precarious and immeasurable than what influences public credit. The sum sought would have enabled Congress to call in such a quantity of the paper emitted as must establish the credit and value of the rest in defiance of all the efforts of our enemies. And I think that if our friends could lend us even as much as would constitute a fund here on which Congress might draw, so as to call in at once one or two million dollars, it would greatly raise the value of the rest. This would require about eight or ten million livres. When it is seen that the redemption is begun, hopes and expectations will be raised, and credit grow upon them. But emitting more, without redeeming any, makes people think that no redemption is intended, and consequently produces doubts and discredit.

It is long ago that I foresaw, and I had the honor of stating it at Burgos, the necessity of providing for the support of our funds, or rather funds themselves, by the assistance of our friends in Europe. I will venture to say that one million sterling furnished in this manner would have been a more effectual aid than all the preparations that have or can be made, unless they go to actual hostilities. Have these preparations prevented twelve ships of the line from being sent on our coast to augment enormously that naval force which was already sufficient to stop our commerce and prevent us from sending our produce to procure funds in Europe? When we argue against facts we deceive ourselves. The fact then is, that these preparations, however formidable, have had so little effect, that though our enemies were hardly a match for France alone at sea, they ventured, in the face of those preparations, to dispatch a powerful fleet against us. Somehow or other they did not believe those preparations were meant against them. Have they been deceived in the event? Has their temerity been chastised as it deserved? Has the fleet of Spain joined that of France to crush at one blow their divided naval power? I do not mean to question the goodness of the reasons for this; I mean only to state the fact. I mean to show, too, that it is not extraordinary that we should desire other aid than that which, however well intended, does not effectually operate to the relief intended. It is our necessity, not our choice, that speaks. To make a diversion in our favor was benevolent; to send us clothing for troops and naval stores was generous and friendly; but if that diversion has not hindered our commerce from being obstructed by powerful fleets, if the utter discredit of our money for want of funds

prevents soldiers, sailors, and others from engaging in our service, and exposes our country to the cruel depredations and devastations of an enraged enemy, can our friends think hardly of us if we press them for that assistance which only can relieve our distress?

There is a passage in your letter which, as I suppose it was not inadvertently inserted, I will give my opinion upon fully. It is "that if affairs should be accommodated to your and our satisfaction the means of succoring us would be facilitated." There is nothing we wish more than such an accommodation, consistent with our engagements and our future security. I can assure you that no people are more averse to war than those of the United States. Were peace once established upon wise principles, leaving us such neighbors as the Spaniards, whose fair and unencroaching dispositions would prevent any attempts to disturb us, I do not see any reason to suppose we should ever be engaged in a foreign war. A war of ambition I am sure we shall never have. No people were ever more sensible of the value of peace, or more disposed to enjoy themselves and let others enjoy in tranquillity the fruits of their labor.

We are a young people, and have had fourteen civil governments to settle during the heat and pressure of a violent war, accompanied with every possible circumstance that could augment the expense and difficulty usually attending a state of warfare. It is in this moment of distress that our real friends will show themselves in enabling us to prevent those calamities which, though they can not subdue, will yet injure us infinitely. Our industry, were peace and commerce once established, would soon enable us to repay them, and they would be sure of a gratitude more lively and lasting.

Be so good as to assure our friends that I have not omitted, nor shall I omit, the smallest circumstance of their friendship and generosity which has passed through me. I hope for a speedy and favorable answer to transmit to my constituents.

I have the honor to be, etc.,

ARTHUR LEE.

Franklin, Lee, and Adams to Vergennes.*

PASSY, August 28, 1778.

SIR: There are several subjects which we find it necessary to lay before your excellency, and to which we have the honor to request your attention.

At a time when the circumstances of the war may demand the attention of government, and without doubt call for so great expense, we are sorry to be obliged to request your excellency's advice respecting the subject of money; but the nature of the war in America, the vast extent of country to defend, and this defense having been made

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr. 313; 7 John Adams' Works, 25.

chiefly by militia engaged for short periods, which often obliged us to pay more men than could be brought into actual service; and, above all, this war having been conducted in the midst of thirteen revolutions of civil government against a nation very powerful, both by sea and land, has occasioned a very great expense to a country so young, and to a government so unsettled. This has made emissions of paper money indispensable in much larger sums than in the ordinary course of business is necessary, or than in any other circumstances would have been politic. In order to avoid the necessity of further emissions as much as possible, the Congress have borrowed large sums of this paper money of the possessors upon interest, and have promised the lenders payment of that interest in Europe, and we therefore expect that vessels from America will bring bills of exchange upon us for that interest, a large sum of which is now due.

It is very true that our country is already under obligations to his Majesty's goodness for considerable sums of money. The necessities of the United States have been such, that the sums heretofore generously furnished are nearly, if not quite, expended; and, when your excellency considers that the American trade has been almost entirely interrupted by the British power at sea, they having taken as many of our vessels as to render this trade more advantageous to our enemy than to ourselves; that our frigates and other vessels, which have arrived in this kingdom, have cost us a great sum; that the provision of clothing, and all the necessaries of war for our army, except such as we could make in that country, have been shipped from hence at our expense; that the expense we have been obliged to incur for our unfortunate countrymen who have been prisoners in England, as well as the maintenance of those taken from the enemy, has been very considerable, your excellency will not be surprised when you are informed that our resources are exhausted.

We, therefore, hope for the continuance of his majesty's generosity, and that the quarterly payment of seven hundred and fifty thousand livres may be continued; and we assure your excellency that the moment we are furnished with any other means of answering this demand we will no longer trespass on his Majesty's goodness.

We have further to inform your excellency that we are empowered and instructed by Congress to borrow in Europe a sum of money to the amount of two millions sterling which is to be appropriated to the express purpose of redeeming so many of the bills of credit in America as will be sufficient, it is apprehended, to restore the remainder to their original value. We, therefore, request his Majesty's permission to borrow such part of that sum in his Majesty's kingdom as we may find opportunity. Although we are empowered to offer a larger interest than is usually given by his Majesty, yet, that we may not be any interruption to his Majesty's service, we are willing and desirous of limiting the interest which we may offer to the same that is given by his Majesty.

And in this way, although most persons will choose to lend their money to his Majesty, yet there may be others desirous of forming connections of trade with the people in America who will be willing to serve them in this way. And perhaps nothing will have a greater tendency to cement the connection between the two nations, so happily begun, or to insure to the French nation the benefits of the American trade, than something of this kind.

By the eighth article of the treaty of commercee, his Majesty has engaged to employ his good offices and interpositions with the Emperor of Morocco, and with the regencies of Algiers, Tunis, Tripoli, and the other powers on the coast of Barbary, in order to provide as fully as possible for the convenience and safety of the inhabitants of the United States, and their vessels and effects, against all violence, insults, attacks, or depredations on the part of the said princes.

We have received information that there are already American vessels in Italy desirous of returning thence, and that there are merchants in Italy desirous of entering into the American trade, but that an apprehension of danger from the corsairs of Barbary is a discouragement. We therefore request your excellency's attention to this case, and such assistance from his Majesty's good offices as was intended by the treaty.

There is another thing that has occurred of late on which we have the honor to request your excellency's advice. There are many Americans in England, and in other parts of Europe, some of whom are excellent citizens, and who wish for nothing so much as to return to their native country, and to take their share in her fortune, whatever that may be, but are apprehensive of many difficulties in recovering their property.

Whether it will be practicable and consistent with his Majesty's interest to prescribe any mode by which Americans of the above description may be permitted to pass through this kingdom with their apparel, furniture, plate, and other effects, not merchandise for sale here, without paying duties, we submit to his wisdom.

We likewise request of your excellency a passport for such cartel ship as shall be employed by the English in sending our people, who are their prisoners, to France to be exchanged. They propose Calais as the port at which the exchange may be made, but as the prisoners we have are at Brest, and the expense of removing them to Calais would be considerable, we should be glad that the passport would permit the landing of our people as near Brest as may be, without danger of inconvenience to the state.

We have the honor to be, with respect, your excellency's, etc.,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

A. Lee to the Committee of Foreign Affairs.*

PARIS, August 31, 1778.

GENTLEMEN: It has been hinted to me that there will be two important subjects of negotiation with the Spanish court, upon which I beg to have the orders of Congress.

First. Providing the Spanish navy with masts at a stipulated and as reasonable price as possible.

Second. The cession of Florida, should it be conquered, to them.

For this they would stipulate, whenever peace is concluded, to furnish the funds for redeeming all or a great part of the paper.

I can not presume to proceed at all on these propositions without express instructions. In the mean time whatever further lights I can obtain shall be communicated immediately.

I have the honor to be, etc.,

ARTHUR LEE.

Declaration of Count de Vergennes, annulling the eleventh and twelfth articles of the commercial treaty with France.

[Translation.†]

The general Congress of the United States of North America having represented to the king that the execution of the eleventh article of the treaty of amity and commerce, signed the 6th of February last, might be productive of inconveniences, and having, therefore, desired the suppression of this article, consenting, in return, that the twelfth article shall likewise be of no effect, his Majesty, in order to give a new proof of his affection, as also of his desire to consolidate the union and good correspondence established between the two states, has been pleased to consider their representations. His Majesty has consequently declared, and does declare by these presents, that he consents to the suppression of the eleventh and twelfth articles aforementioned, and that it is his intention that they be considered as having never been comprehended in the treaty signed the 6th of February last.

Done at Versailles this 1st day of September, 1778.

GRAVIER DE VERGENNES.

Declaration of the American Commissioners, annulling the eleventh and twelfth articles of the same treaty.

[Translation.‡]

The most Christian king having been pleased to regard the representations made to him by the general Congress of North America relating to the eleventh article of the treaty of commerce, signed the 6th of

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 514.

† 1 Sparks' Dip. Rev. Corr., 315.

‡ *Ibid.*, 316.

February, in the present year, and his Majesty having therefore consented that the said article should be suppressed, on condition that the twelfth article of the same treaty be equally regarded as of none effect; the above said general Congress hath declared on their part, and do declare, that they consent to the suppression of the eleventh and twelfth articles of the above-mentioned treaty, and that their intention is that these articles be regarded as having never been comprised in the treaty signed the 6th of February.

In faith whereof, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

A. Lee to Gardoqui.*

PARIS, September 1, 1778.

DEAR SIR: I received your favor of the 20th ultimo last night, and will trouble you in addition to what I wrote on the 27th. It depends on your side to begin a treaty, of which what you mention must be a part. I have already signified my powers and my readiness to do my part, without receiving any answer. My powers by commission are full, and the ratifications confirm them specially. Neither my constituents nor myself will be found unwilling to make every reasonable return for any aid given us. There are no neighbors we could prefer to you.

By the last accounts from America the British army and fleet, after a bloody battle in the Jerseys, were blocked up in New York by General Washington and Count d'Estaing.

It is not improbable they may be forced to surrender before they are released.

I have the honor to be, etc.,

ARTHUR LEE.

Izard to Niccoli.†

PARIS, September 1, 1778.

DEAR SIR: Your favor of the 28th of July affords no very flattering prospects to us from Tuscany. My expectations and hopes from that quarter were high, and I confess that I am disappointed. All Europe appears to me to be interested in the success of our cause, and Italy will certainly receive no inconsiderable share of the benefits resulting from the establishment of the independence of the United States. It is, therefore, not a little to be wondered at that she should refuse to

* 1 Sparks' Dip. Rev. Corr., 514.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 693.

stir a finger towards the accomplishment of that event. I am well aware that the revenues of the grand duke are not equal to those of the King of France; something, however, is certainly in his power; and we are taught by scripture to set a proper value on a single mite, when it is proportioned to the ability of the donor.

The grand duke, you say, has discharged almost half the debt with which he found the state encumbered at his accession. This is a proof of the wisdom and good government of his royal highness, and shows how well founded the opinion is which the world has entertained of that excellent prince. It shows also that his state is in a very flourishing condition. I have been lately informed that his royal highness intends shortly to discharge another part of his debt to the amount of three millions of French livres. If this payment could be postponed, and the money lent to the United States, it would be of considerable service to them. You will excuse me for pressing this subject with earnestness, as I have the greatest desire to execute the business which the Congress have done me the honor of putting into my hands.

Captain Woodford has lately arrived here from Leghorn. He informs me that some merchants at that port are determined to enter into the American trade, and that he is to command a vessel from thence bound to Virginia, which he thinks will be ready to sail in the course of a few weeks. He is a man of a very good character, and I hope he will succeed, which will probably induce many others to follow his example. He has charged himself with the delivery of this letter, and I do not doubt but that you will give him any advice or assistance in your power to facilitate the execution of his plan.

My wife and family join in offering you their compliments; and I am, dear sir, etc.

RALPH IZARD.

* Izard to Vergennes.

PARIS, September 2, 1778.

SIR: I am directed by the Congress to endeavor to procure a loan of money in Italy, and have in consequence done everything in my power to obtain proper information on the subject. My correspondent in Tuscany gives me no hopes of procuring any there, as that country is just beginning to emerge from a state of languor, under which it has suffered for two centuries.

No other part of Italy seems to afford a more agreeable prospect except Genoa, and I am told that even there the security of the court of France will probably be expected for any sum which the inhabitants of that republic may have it in their power to lend to the United States. The value of the paper currency of America has sunk, on account of

the great sums which it has been absolutely necessary to issue in the prosecution of the war against Great Britain. If the loan can be obtained, the Congress will be enabled to reduce the quantity in circulation, and at the same time raise and establish the credit of the remainder. This will be of such important service to our country, that I am induced to hope your excellency will be so good as to afford us your assistance in it, and speak to the Marquis Spinola, the envoy from Genoa, on the subject. I shall be extremely happy to have it in my power to inform the Congress that by your excellency's assistance I have been enabled to execute the trust which they have committed to me.

I have the honor to be, etc.,

RALPH IZARD.

Franklin to Hartley.*

PASSY, September 3, 1778.

DEAR SIR: I received duly your favors of July 14 and August 14. I hoped to have answered them sooner by sending passport. Multiplicity of business has, I suppose, been the only occasion of delay in the ministers to consider of and make out the said passport.

I hope now soon to have it, as I do not find there is any objection made to it. In a former letter I proposed to you that the exchange would, in my opinion, be preferable at or near Brest, and I expected some time your answer on that point. But perhaps you have not received my letter; you say nothing of it.

I wish, with you, as much for the restoration of peace as we both formerly did for the continuance of it. But it must now be a peace of a different kind. I was fond to a folly of our British connections, and it was with infinite regret that I saw the necessity you would force us into of breaking it. But the extreme cruelty with which we have been treated has now extinguished every thought of returning to it, and separated us forever. You have thereby lost limbs that will never grow again.

We, too, have suffered greatly, but our losses will soon be repaired by our good government, our industry, and the fertility of our country. And now we see the mischievous consequences of such a connection, and the danger of their being repeated if we should be weak enough to enter into it. We see this too plainly ever to listen in the least to any such proposition. We may therefore, with great propriety, take leave of you in those beautiful lines of Dante to the late mistress of his affection.

* MSS. Dep. of State; 6 Bigelow's Franklin, 205.

Franklin to John Paul Jones.*

PASSY, September 6, 1778.

DEAR CAPTAIN: I received your favors of the 24th and 31st of August. I am told by M. de C.^t that M. de S.^t is sorry you did not go with M. d'Orvilliers. He had sent orders for that purpose, and your staying at L'Orient occasioned your missing the opportunity. Your letter was sent to the Prince de Nassau. I am confident something will be done for you, though I do not yet know what.

Dr. Bancroft has been indisposed, and I have not lately seen him; but I hear he is getting better, and suppose he has written. I go out of town early this morning for a few days, but the other commissioners will answer your letter. I am glad you have procured a guard for the prisoners. It is a good piece of service. They have concluded in England to send us an equal number of ours, and we expect to-morrow to send the passport for their cartel ship which is to bring them. If we are to deliver theirs at Calais, I should be for accepting thankfully the offer you mention.

We have no news from America but what comes through England. Clinton's letter is in the London Gazette, and for style and coloring is so like Keppel's, that I can not help thinking neither of them originals, but both the performance of some under secretary, whose business it is to cook the news for the ministers. Upon the whole, we learn that the English army was well worried in its march,[§] and that their whole fleet and forces are now blocked up in New York by Washington and Gates on the land side and by Count d'Estaing by sea, and that they will soon be in want of provisions. I sympathize with you in what you must suffer from your present inactivity; but have patience.

I am, etc.,

B. FRANKLIN.

Adams to the President of Congress.||

PASSY, September 7, 1778.

SIR: I have the honor to enclose to Congress all the newspapers I have by me; enough to show that we have nothing very important here at present. The French and British fleets are again at sea, and we hourly expect intelligence of a second battle; but our expectations from America are still more interesting and anxious, having nothing from them since the 3d of July, except what is contained in the English gazettes.

* 6 Bigelow's Franklin, 207.

^t Probably de Chaumont.—BIGELOW.

^t Probably de Sartine.—BIGELOW.

[§] The march across New Jersey to New York after the evacuation of Philadelphia. During this march was fought the battle of Monmouth,—BIGELOW.

|| MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 555.

Events have probably already passed in America, although not known in Europe, which shall determine the great question whether we shall have a long war or a short one. The eyes of all Europe are fixed on Spain, whose armaments by sea and land are vastly expensive and extremely formidable, but whose designs are a profound impenetrable secret; time, however, will discover them. In the mean time we have the satisfaction to be sure that they are not inimical to America. For this we have the word of a king, signified by his ministers; a king who they say never breaks his word, but, on the contrary, has given many striking proofs of his sacred regard to it.

I have the honor to be, with the greatest esteem, etc.,

JOHN ADAMS.

Deane to the President of Congress.*

PHILADELPHIA, September 8, 1778.

SIR: I pray your excellency to remind the Congress that I still wait to receive their orders, and though I am sensible that they have many and important affairs under their consideration, yet I must entreat them to reflect upon the peculiar situation I have for some time past been placed in, and inform me if they desire my further attendance.

I have the honor to be, with the highest respect, your excellency's, etc.,

SILAS DEANE.

A. Lee to Committee of Foreign Affairs.†

PARIS, September 9, 1778.

GENTLEMEN: I enclose you copies of the accounts, bills of lading, etc., of the articles which I before informed you I should direct to be shipped, and which I pay for out of the funds entrusted to me alone. The only error I find in them is the charge of five per cent. commission, which I shall endeavor to have rectified. It will be easy to compare the uniforms at 32 with those furnished by M. Montieu at 37, according to Mr. Deane's contract, and which Mr. Williams reported to us ought to have been rejected; a report which was concealed from me, as well as the contract.

The manner in which these accounts are made up is the same I desired from Mr. Williams, and which he has evaded with circumstances of insult and defiance. Indeed, there has been hitherto such licentiousness suffered in the conduct of our affairs, that these gentlemen seem

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 91.

† MSS. Dep. of State. In 1 Sparks' Dip. Rev. Corr., 515, a very imperfect copy of this paper is given.

to think it both an affront and injustice to be called upon for a clear and unequivocal account of the expenditure of the public money.

In this case I thought it more especially my duty to be attentive, because the sum was large, no satisfactory account ever given in of the sums advanced to him; but continual demands for hundreds of thousands more; and (though he came to us, literally speaking, penniless), he was loading ships on his own account to America. I do not say that he will not be able to give a clear account of this, but the suspicion necessarily arising from it, with the indistinctness of his accounts, and above all the fifty thousand livres taken to himself, to be repaid, as he says, by a bill on M. Chaumont eight months hence (which we have never seen nor otherwise heard of), was sufficient to satisfy me that all was not right, and that I could not be justified, if under these circumstances I concurred in paying him the balance he demanded of the public. For it seems clear to me that if all the millions expended are thus accounted for, the burdens and poverty of the public will increase with the opulence of individuals, and soon become intolerable.

I have before informed you of my having received remittances in bills to the amount of 187,500 livres. As I knew it would not be necessary to expend this sum sooner than three months, I thought it better to get interest for it for that time than let it lie idle. The enclosed receipt will show you that I have succeeded with the first bill that was due, but I doubt it will not be possible with the rest.

It may be proper to inform you that I have dismissed my former secretary, Major Thornton, because it was verified to me that he had received from Mr. Wharton a note of hand payable on war taking place in such a time. This afforded so strong a suspicion that they, who are now his accusers, had seduced him into their gambling society, and probably for the purpose of betraying my secrets in the Spanish negotiation, that I thought it prudent to supply his place with another. I have chosen the Rev. Mr. Hezekiah Ford, of the State of Virginia, and chaplain to the third and fifth regiments of North Carolina troops, in the service of the United States. We have administered to him an oath of secrecy and fidelity, which, from his character, I have every reason to believe he will religiously observe.*

The present moment is as totally barren of news as times of the most perfect tranquillity.

I have the honor to be, with the most entire respect and esteem, gentlemen, your most obedient servant,

ARTHUR LEE.

* As to Ford's character for loyalty see Introduction, § 150.

Franklin, Lee, and Adams to Vergennes.*

PASSY, September 10, 1778.

SIR: By some of the last ships from America we received from Congress certain powers and instructions, which we think it necessary to lay before your excellency, and which we have the honor to do in this letter.

On the 13th of April last Congress resolved, "that the commissioners of the United States in France be authorized to determine and settle with the house of Roderique Hortalez & Co. the compensation, if any, which should be allowed them on all merchandise and warlike stores shipped by them for the use of the United States previous to the 14th day of April, 1778, over and above the commission allowed them in the sixth article of the proposed contract between the committee of commerce and John Baptiste Lazarus Theveneau de Francy."

In the letter of the committee of commerce to us, in which the foregoing resolution was enclosed, the committee express themselves thus: "This will be accompanied by a contract entered into between John Baptiste Lazarus de Theveneau de Francy, agent of Peter Augustine Caron de Beaumarchais, representative of the house of Roderique Hortalez & Co., and the committee of commerce. You will observe that their accounts are to be fairly settled, and what is justly due paid for, as, on the one hand, Congress would be unwilling to evidence a disregard for, and contemptuous refusal of, the spontaneous friendship of his most Christian majesty, so on the other they are unwilling to put into the private pockets of individuals what was graciously designed for the public benefit. You will be pleased to have their accounts liquidated, and direct in the liquidation thereof that particular care be taken to distinguish the property of the crown of France from the private property of Hortalez & Co., and transmit to us the accounts so stated and distinguished. This will also be accompanied by an invoice of articles to be imported from France, and resolves of Congress relative thereto. You will appoint, if you should judge proper, an agent or agents to inspect the quality of such goods as you may apply for to the house of Roderique Hortalez & Co. before they are shipped, to prevent any impositions."

On the 16th of May last Congress resolved, "that the invoice of articles to be imported from France, together with the list of medicines approved by Congress, be signed by the committee of commerce and transmitted to the commissioners of the United States at Paris, who are authorized and directed to apply to the house of Roderique Hortalez & Co. for such of said articles as they shall have previously purchased or contracted for; that copies of the invoices to be delivered

* 1 Sparks' Dip. Rev. Corr., 318; 7 John Adams' Works, 29.

to Mons. de Franey, agent for Roderique Hortalez & Co., together with a copy of the foregoing resolution; and that the articles to be shipped by the house of Roderique Hortalez & Co. be not insured, but that notice be given to the commissioners in France that they may endeavor to obtain convoy for the protection thereof."

We have the honor to enclose to your excellency a copy of the contract made between the committee and Mons. Franey, a copy of Mons. Franey's powers, and a copy of the list of articles to be furnished according to that contract, that your excellency may have before you all the papers relative to this subject.

We are under the necessity of applying to your excellency upon this occasion and of requesting your advice. With regard to what is passed, we know not who the persons are who constitute the house of Roderique Hortalez & Co., but we have understood, and Congress has ever understood, and so have the people in America in general, that they were under obligations to his Majesty's good will for the greatest part of the merchandise and warlike stores heretofore furnished under the firm of Roderique Hortalez & Co. We can not discover that any written contract was ever made between Congress, or any agent of theirs, and the house of Roderique Hortalez & Co., nor do we know of any living witness, or any other evidence, whose testimony can ascertain to us, who the persons are that constitute the house of Roderique Hortalez & Co., or what were the terms upon which the merchandise and munitions of war were supplied, neither as to the price, nor the time, or conditions of payment. As we said before, we apprehend that the United States hold themselves under obligations to his majesty for all those supplies, and we are sure it is their wish and their determination to discharge the obligation to his majesty as soon as Providence shall put it in their power. In the mean time, we are ready to settle and liquidate the accounts according to our instructions at any time and in any manner which his Majesty and your excellency shall point out to us.

As the contract for future supplies is to be ratified, or not ratified, by us, as we shall judge expedient, we must request your excellency's advice as a favor upon this head, and whether it would be safe or prudent in us to ratify it, and in Congress to depend upon supplies from this quarter, because if we should depend upon this resource for supplies, and be disappointed, the consequences would be fatal to our country.

We have the honor to be, etc.,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Franklin, Lee, and Adams to Sartine.*

PASSY, September 10, 1778.

SIR: Capt. Daniel M'Neil, of Boston, in the State of Massachusetts Bay, commander of the American privateer which has been so successful against the common enemy in the North seas and White seas, had the fortune to retake a French vessel from a Guernsey privateer, after she had been in the enemy's possession three days, which prize he has brought into Port Louis.

He represents to us that he has met with some difficulties in disposing of her and her cargo, which can not be removed until your excellency's sentiments shall be known upon the matter.

We have the honor to recommend his case to your excellency's consideration, and to request that such relief may be afforded him as may consist with the laws of the state and the treaties in force between the two nations.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin, Lee, and Adams to Beaumarchais.†

PASSY, September 10, 1778.

SIR: In a letter we have received from the committee of commerce of the 16th May, we are informed that they had ordered several vessels lately to South Carolina for rice, and directed the continental agents in that State to consign them to our address.

In the letter from Mr. Livingston to us, dated Charleston, South Carolina, 10th June, 1778, he has subjected the cargo of the *Therese* to our orders.

In your letter to us, dated Passy, 8th September, 1778, you demand that the cargo received in your own vessel should be sold, and the money remitted to you, in part for a discharge of what is due to you by the Congress.

We are at a loss to know how you claim the *Therese* as your proper vessel, because M. Monthieu claims her as his, produces a written contract for the hire of her, part of which we have paid, and the remainder he now demands of us. However, sir, we beg leave to state to you the powers and instructions we have received from Congress, and to request your attention to them as soon as possible, and to inform you that we are ready to enter upon the discussion of these matters at any time and place you please.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 318.

† 1 Sparks' Dip. Rev. Corr., 316; 7 John Adams' Works, 28.

But until the accounts of the company of Roderique Hortalez & Co. are settled for what is passed, and the contracts proposed either ratified by you and us, or rejected by one party, we can not think we should be justified in remitting you the proceeds of the cargo of the *Therese*. We will, however, give orders to our agents for the sale of the cargo, and that the proceeds of the sale be reserved to be paid to the house of Roderique Hortalez & Co., or their representative, as soon as the accounts shall be settled, or the contract ratified.

By a copy of a contract between a committee of Congress and M. Franey, dated the 16th of April last, we perceive that the seventeenth article, respecting the annual supply of twenty-four millions of livres, shall not be binding upon either of the parties, unless the same shall be ratified by Roderique Hortalez & Co., and the commissioners of the United States at Paris. We take this opportunity to inform you, sir, that we are ready to confer with Roderique Hortalez & Co., or any person by them authorized for this purpose, at any time and place that they or you shall appoint.

We have the honor to be, sir, your most obedient humble servants,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Congress—Election of Franklin as Minister to France.*

SEPTEMBER 11, 1778.

Resolved unanimously, That it is essential to the interest and honor of the United States that a minister plenipotentiary be without delay appointed to represent these States at the court of France.

Resolved unanimously, That to-morrow be assigned for electing a minister plenipotentiary at the court of France.

SEPTEMBER 14, 1778.

Congress proceeded to the election of a minister plenipotentiary to the court of France, and ballots being taken, Dr. Benjamin Franklin was elected.

Resolved, That a committee of five be appointed to prepare a letter of credence to his most Christian majesty, notifying the appointment of Dr. Franklin minister plenipotentiary of these United States at the court of France.

That the said committee also prepare a draught of instructions to the minister plenipotentiary. The members chosen: Mr. G. Morris, Mr. Chase, Mr. Drayton, Mr. S. Adams, and Mr. R. H. Lee.

Ordered, That the letters of credence received through the hands of the minister of France and the Count d'Estaing be referred to the said committee.

* MSS. secret journals, Dep. of State. From these the secret journals as printed vary in details and occasional omissions.

Adams to the President of Congress.*

PASSY, *September 11, 1778.*

SIR: I have the honor to enclose to Congress the latest gazettes. We have no other intelligence than is contained in them.

Since the 11th of July, the date of Lord Howe's announcing the arrival of the Count d'Estaing off Sandy Hook, we have not a syllable from America by way of England. In France we have nothing from America since July 3. This long interval leaves a vast scope for imagination to play, and accordingly there is no end to the speculations prompted by the hopes and fears of the nations of Europe. We are weary of conjectures, and must patiently wait for time to end them:

I have the honor to be, with great respect, etc.,

JOHN ADAMS.

Deane to the President of Congress.†

PHILADELPHIA, *September 11, 1778.*

SIR: I received your note, in which you politely informed me that you had laid before Congress the letter which I did myself the honor of writing to your excellency a few days since. I now return you my thanks for the attention you have paid me, and again take the liberty to ask of you to remind Congress that the circumstances under which I left France, and the situation of the affairs in Europe which I had been principally concerned in transacting (as I had the honor of mentioning to Congress), render it indispensably necessary on my part that I return as early as possible, and that if my further attendance here is not necessary, I pray to be informed of it, that I may be at liberty to visit my friends and prepare for my voyage; or that, if further intelligence is expected from me, I may have an early opportunity of giving it.

I flatter myself your excellency and the Congress will not judge my repeated applications improper when the circumstances which attended my leaving Europe and the situation I have been in since my arrival in America are recollected and considered.

I have the honor to be, etc.,

SILAS DEANE.

Izard to Laurens, President of Congress.‡

PARIS, *September 12, 1778.*

DEAR SIR: My last letter to you was dated the 25th of July, and yours of the 19th of May still continues the only one I have been favored with from you. My letter of the 28th of June was accompanied

*MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 556.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 91.

‡ *Ibid.*, 695.

by several papers, which appeared to me proper that you and every other friend of our country should be acquainted with. Five sets of them were sent to you, and it will be very unlucky if one of them does not get safe to your hands.

The molasses business would certainly have proved the source of continual disputes if it had not been altered; but the mischief which might have been expected from that is beyond comparison less than what is pointed out in my letter to Mr. Lee of the 18th of May. My apprehensions on this subject were communicated to the commissioners at this court, but I am sorry to say that they made no impression upon them.* Mr. Lee alone seemed to think it possible I might be right; the other two gentlemen were perfectly satisfied. Dr. Franklin's usual consciousness of infallibility was apparent, and Mr. Adams insinuated that the business of the treaties was put entirely into the hands of the commissioners at this court, and nobody else had any right to give their opinions about them; that he understood that I had objected to the eleventh and twelfth articles of the treaty of commerce respecting molasses, but he believed I should find myself greatly mistaken in that matter; that he did not doubt but those articles would be extremely popular in Congress, and that they would be very angry when they were informed that I had objected to them. I answered that I was sensible the conclusion of the treaties was committed solely to the gentlemen he mentioned, but that the principles in which I had been educated militated against the other part of his opinion; that I had thought it my duty to oppose the proceedings of the King and Parliament of Great Britain when they were injurious to my country; that the same motives had occasioned my opposition to the articles in question; that I had submitted my objections to the treaty to the President, and hoped he would make them known to Congress; that if they thought I had acted wrong, I should, of course, be informed of it by him; that I should in that case look upon myself to be no longer fit to be employed, when my opinion differed so totally from that of my employers, and should request the favor of the President to procure the leave of Congress for me to return into my own country.

I have had the satisfaction, however, of finding that Mr. Adams, as well as his countrymen, Dr. Franklin and Mr. Deane, have been mistaken in their expectation that Congress would be inattentive to the interests of nine States of America to gratify the eaters and distillers of molasses. I am yet to learn whether the arguments made use of in the above-mentioned letter of the 18th of May have had any weight with you and the other gentlemen to whom I desired you to submit them; but I am very sorry to inform you that my apprehensions were too well founded. The letters which Mr. Lee has lately received from Spain

*This is a mistake, since Franklin and Deane united with Lee in applying to Vergennes to make the change, which, however, could not then be made, as the papers were engrossed.

leave not the least room to doubt what the expectations of that court are respecting the Floridas. For my own part, no such additional proof was necessary after having compared the fifth article of the treaty of alliance with the eighth article of the original treaty transmitted by Congress.

The conduct of Spain has been full of ambiguity. She has been arming with all possible diligence; and, at the same time, sent an ambassador to London, who has hitherto made use of no other language but that of peace and mediation. England, who seems to have lost her common sense at the same time that she parted with her humanity, does not appear to suspect that the delays of Spain may possibly be intended only to make her blow more certain and effectual. Some politicians believe that the delays of Spain have been occasioned by her being averse to the independence of America. Nothing can be more absurd than such an opinion. Spain can have nothing to apprehend from us alone equal to what she had reason to fear from the united strength of Great Britain and America. When the present war is ended I hope the blessings of peace will be long enjoyed. Should Spain be suffered to get possession of the Floridas, perpetual causes of quarrel may be expected; and therefore I hope the wisdom of Congress will guard against this evil.

When my apprehensions on this subject were communicated to the commissioners at this court, a proper explanation, I believe, might have been obtained from the ministry under their hands, as the ratification of the treaties was not arrived; and it is certain they were very much alarmed about them, and expected they would have undergone a much severer scrutiny than they did. The limits which Congress have prescribed in the eighth article of their original treaty are such as I am convinced we ought to have, and I hope that nothing will happen to make it necessary that they should be altered. Mr. Lee will, I suppose, inform Congress of the contents of his letters from Spain on this subject. It appears of so much consequence to the southern States, that I think they should be consulted separately on the subject of ceding the Floridas to Spain before the question is brought before Congress.

In my letter to the committee of foreign affairs of the 25th of July, I enclosed them two letters, which I had written to the Abbé Niccoli, at Florence, on the subject of money. I now send you his answer, by which you will find that there is no very flattering prospect of obtaining any there. I send you likewise enclosed several other papers, which will show you that I have done everything in my power to fulfill the wishes of Congress. Nothing has been left unattempted to promote the success of what I have had constantly at heart. I have had an interview with Count de Vergennes, secretary of state for foreign affairs, and endeavored to prevail upon him to offer the security of the court of France for any money which might be borrowed in Italy for the use of the United States. He refused affording any assistance in the matter.

I then wrote him the enclosed letter of the 2d of September, without promising myself much hopes of success from it. The King of Prussia, during the last war, received a subsidy from Great Britain of between seven and eight hundred thousand pounds sterling. The object to be obtained was certainly much less considerable than what France has already got by the dismemberment of so great a part of the dominions of her natural enemy, and yet the States of America, her allies, whose exertions have procured so desirable an event for her, have no subsidy, and even her assistance in effecting a loan is refused. France has certainly great demands for money herself. She might, however, have been more liberal than she has been, and I am of opinion she would have been so, had things been properly conducted by those who ought to have thought less of themselves and more of the public.

I have in this, and some of my former letters, given you my opinion on such parts of the treaties as appeared likely to prove injurious to us. The southern States are most affected by the articles which have been already taken notice of. The ninth and tenth articles of the treaty of commerce contain matter which will, if I am not much mistaken, prove the subject of great uneasiness to the States of New England. The gentleman whose presumption and self-sufficiency I have already complained of may in this instance, I believe, be acquitted of having any design. Whatever there may be improper in these articles can be only attributed to the want of information, and to their not being acquainted with the subject.

When the peace of Paris in 1763 was concluded I was in London, and heard the subject of the fishery much discussed; the French pretended that, by the thirteenth article of the treaty of Utrecht, they had an exclusive right to fish on all that part of the Island of Newfoundland which extends from Cape Bonavista to Point Riche. The English ministry would not admit of any such explanation of the article, and accordingly the French have enjoyed no such exclusive right since. The words "indefinite and exclusive right" are not to be found either in the treaties of Utrecht or of Paris, yet they were inserted in the tenth article of our treaty of commerce; and that it may seem as if no innovation was intended, that right is claimed as having been *designed* by the treaty of Utrecht, and the whole is to be conformable, not to the words, but to the *true sense* of the treaties of Utrecht and Paris. I do not think that the States of New England would be very well contented if they should find themselves excluded from the right of fishing on any part of the coast of Newfoundland. I have endeavored to get all the information I could on this matter, and am confirmed in my opinion that it was intended.

The discussion of this business will probably not be entered upon till the conclusion of peace, and that event I fear is not very near at hand. It is, however, of importance that those persons who are likely to be affected by this matter should be acquainted with what I have written to you about it, that they may consider it and be prepared.

The commercial business of America in this kingdom continues still in confusion. You were fully informed on this point some time ago, and I recommended Mr. Lloyd strongly as a proper person to set these matters rights. I believe him to be a very capable merchant, and I have the highest opinion of his integrity and attachment to the cause of America. These are qualities at all times to be valued, but in the present situation of our affairs, at the distance the commercial agent is placed from the seat of inquiry, the difficulty there is of preventing the plunger of the public money, and the detecting of it after it is done, are additional motives with me for wishing to see the commercial business of our country in his hands. He is going to America, and I expect that he will see you at Congress. Dr. Franklin is still endeavoring to place his nephew in that office.* Whether he is a proper person I shall not take upon me to decide. Mr. Lee thinks he is not, and I suppose will offer his reasons to Congress.

I have lamented exceedingly that the situation of affairs has not permitted my going into Italy. Perhaps my having been here, and the observations that I have sent you respecting the treaties, may not prove useless. Should my countrymen think so, it will give me great satisfaction.

I am, dear sir, etc.,

RALPH IZARD.

P. S.—I have communicated my sentiments to Mr. Lee and Mr. Adams respecting the fishery, and I hope they will write on the subject to their friends. It will, however, I think, be very proper for you to speak to the New England delegates about it, that they may have time to consider it and consult their constituents.

W. Lee to the Committee of Foreign Affairs.^t

PARIS, September 12, 1778.

GENTLEMEN: I have just arrived here from Germany, and finding the bearer of this about to set off in a few hours, I can not omit saying a word or two, though it will be impossible to be so full as I could wish. I wrote to the President of Congress from Vienna the 30th of May, ult.,‡ which was forwarded from hence, to which be pleased to refer; since then have received your first and only letter, dated from Yorktown, the 14th of May last, wherein you acknowledge the receipt of mine of the 24th November and 18th of December; but I am surprised at your not receiving also two other letters from me, dated the

* For the correction of an error here respecting Dr. Franklin's designs in regard to his nephew, see letter of A. Lee to Committee of Foreign Affairs, June 1, 1778, note.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 603, with omissions and verbal changes.

‡ Missing.—SPARKS.

28th February and 23d March last, which were sent by Mr. Simeon Deane, and addressed to the President of Congress.

Since my last, of the 30th of May, when the war broke out between the Emperor and the King of Prussia, on consultation with the French ambassador at Vienna, it was agreed to be most advisable for me to retire to Frankfort, and wait there until the several powers in Germany and the rest of Europe had taken a decided line in this war, when we might be able to direct our operations to the most advantage for America, since it was evident that neither the court of Vienna nor that of Berlin could, in their critical situation, take an open part with us for fear of throwing Hanover, with a body of thirty thousand men, into the scale of the adversary, especially, too, as France had declared a neutrality, on the urgent application of the house of Austria, for aid under the treaties subsisting between them and France; to which, however, France replies with truth, that the case does not exist as specified in the treaty, which obliges them to aid the house of Austria. The two mighty powers have been in the field opposed to each other ever since the beginning of July, when the King of Prussia entered Bohemia with his army, but no battle has yet been given, nor anything material passed on either side. There have been perpetual skirmishes between the foraging parties and advanced posts, which on the whole seem rather in favor of the Prussians. In the course of the winter or spring we hope things will take such a turn as to enable me to operate to advantage with one or the other of the parties; but at present I think you may be assured that such measures have been taken as will effectually prevent our enemies from obtaining any farther aid from any part of Europe, if they should [be so mad as to]* continue the war against us another year, which I can hardly expect they will do, for I am informed, and have reason to believe my information true, that orders have been already sent to their commissioners in America to acknowledge our independence if nothing else will answer, in order to commence a treaty and make a peace.

After my arrival at Frankfort, finding an opportunity offered to me of negotiating a treaty of commerce with the United States of Holland and West Friesland, I embraced it, and have proceeded so far as to agree on the draught of a treaty with the regular representative of the pensionary and burgomasters of the city of Amsterdam, of which I have not time to send you a copy by this conveyance, but am sure you would approve of it, as it contains all the substantially advantageous articles of the commercial treaty with France and some beneficial and agreeable additions.

So far the business has been conducted on both sides with great secrecy, which is absolutely necessary in order to procure final success with the United States here, for though the city of Amsterdam and the States of Holland pay, it is supposed, about five-sixths of the whole

* Words in brackets omitted in Sparks' ed.

taxes for the support of the government, which consequently gives them very powerful weight and influence, yet they have no power by their constitution of entering into such a treaty without the concurrence of the other united states, in some of which the Prince of Orange has an overdue influence; and all the world knows his blood connections with the King of England, as well as that he has the same designs against his country that have been attempted to be carried into execution against us, and which he hopes to succeed in by the aid of his cousin of England, with whom he is in the strictest intimacy. This renders secrecy of the last importance, until the patriots in Holland have secured success, before the business is agitated in the general assembly of the states, where it must come to have full authority.

Here I find myself embarrassed, because I have no power to sign such a treaty, and I know not how to determine as yet about communicating it, in the present situation of things, to those who have a power to sign it in your name, because it is well known that some of the most important negotiations and proceedings here relative to your affairs have some time past been very speedily communicated in England, and I have not yet been able to learn that the old channel is stopped. I shall, however, proceed in the manner that shall, on the maturest reflection, appear the best to forward the wishes of Congress and advance the prosperity of our country.

In a week or ten days I shall return to my station in Germany, and watch with careful attention over my charge there, and when anything material occurs you shall be duly advised.

I have the honor to be, etc.,

WILLIAM LEE.

Deane to Hancock.*

PHILADELPHIA, September 14, 1778.

DEAR SIR: I have not had the pleasure of a line from you since you left us, which I impute to your having been so much engaged in public business. I hope the articles sent you arrived safe and were found to satisfaction, and that we shall soon have the pleasure of seeing you again in Philadelphia by one means or another. The affairs which respect me have dragged on so heavily that nothing decisive has been done, though I have been constantly applying, and my patience is really worn out, and I can not and will not longer endure a treatment which carries with it marks of the deepest ingratitude; but if the Congress have not time to hear a man who they have sent for four thousand miles, solely under the pretense of receiving intelligence from him, it is time that the good people of this continent should know the manner in which their representatives conduct the public business, and how they treat their fellow-citizens, who have rendered their country the most important services.

* Penn. Mag. of Amer. Hist., vol. xi, 205.

I freely appeal to every man of honor and feelings, and will be content to be judged from what passes in his own breast, on supposing himself but for one moment exactly in my situation. A majority of Congress are disposed to do me justice, and complain of my being delayed in the manner I am from day to day and from week to week, but you know that in Congress a few men can put off the decision of any question by one means or other as long as they please, and you are not a stranger to what a certain triumvirate, who have been from the first members of Congress, are equal. The baseness and ingratitude of one of them you have sufficiently experienced in private life to know him capable of anything in public, and my old colleague, Roger the Jesuit, with their southern associates, have been indefatigable ever since my arrival. Roger, indeed, is at present on a tour to the army, and thence to New Haven, to stir up the pure minds of the faithful there against the next election of delegates. He is expected back in a few days, when perhaps they will be ready to take the field, after having suggested in whispers everything that could tend to hurt the man they causelessly attack. I am no way discouraged, but I am grieved to find our councils and our public deliberations conducted in the manner they are at present. The very name of Congress was a great while sacred almost as that of the Divinity in these States. You as well as I know how much weakness, to say nothing more, lay concealed from the first behind the sacred vail from the view of the public. I tremble for the consequences when Americans, who have served their country with the highest reputation at home and abroad, shall be forced by the injuries and abuse which they receive, in vindication of themselves, to draw this vail and hold up to the open view of their countrymen certain individuals who have by one circumstance or another greatly influenced the deliberations of Congress. Self-defense is the first law of nature. I hope and am sure I shall not be driven to this extremity whilst so many appear resolved to see justice done me. I will not add but that I most impatiently expect you here, and hope that you will bring Mrs. Hancock with you, to whom I pray you present my most respectful compliments.

I am, ever, with the most sincere attachment, dear sir, your most obedient and very humble servant,

SILAS DEANE.

Franklin to Hartley.*

PASSY, September 14, 1778.

DEAR SIR: I now send you the passport required. I postponed answering your last in hopes of obtaining it sooner, but though it was long since agreed to, much business in the admiralty department here has, I suppose, occasioned its delay. The port of Calais was not approved of, and I think the ports mentioned (Nantes or L'Orient) are

better for you as well as for us, not only as being nearer Plymouth, but as many of your sailors would probably have found opportunities of deserting in the long march from Brest to Calais, they being afraid of the press. I understand that upwards of eighty more of your people have been brought by ours prisoners into France since the list I sent you, but I can not now send you their names. You have not mentioned whether the proposition of sending us the whole of those in your prisons was agreed to. If it is, you may rely on our sending immediately all that come to our hands for the future; or we will give you your option, an order for the balance to be delivered to your fleet in America. By putting a little confidence in one another we may thus diminish the miseries of war. To make the expense of these exchanges more equal, if another cartel ship should be hereafter necessary, we hereby promise to send to England at our charge; and so it may continue to be done alternately as long as the war continues.

Adams to Chaumont.*

PASSY, September 15, 1778.

SIR: As our finances are at present in a situation seriously critical, and as I hold myself accountable to Congress for every part of my conduct, even to the smallest article of my expenses, I must beg the favor of you to consider what rent we ought to pay you for this house and furniture; both for the time past and to come. Every part of your conduct towards me and towards our Americans in general and in all our affairs, has been polite and obliging, as far as I have had an opportunity of observing, and I have no doubt it will continue so; yet it is not reasonable that the United States should be under so great an obligation to a private gentleman, or that two of their representatives should occupy for so long a time so elegant a seat with so much furniture and so fine accommodations without any compensation; and in order to avoid the danger of the disapprobation of our constituents on the one hand for living here at too great or too uncertain an expense, and on the other the censure of the world for not making sufficient compensation to a gentleman who has done so much for our convenience, it seems to me necessary that we should come to an eclaircissement upon this head.

As you have an account against the commissioners, or against the United States, for several other matters, I should also be obliged to you if you would send it in as soon as possible, as every day renders it more and more necessary for us to look into our affairs with the utmost precision.

I am, sir, with much esteem and respect, your most obedient, humble servant,

JOHN ADAMS.

* 2 Sparks' Dip. Rev. Corr., 556; 7 John Adams' Works, 31.

Congress—Deane's Case.*

[September 14, 1778; a letter having been received from Silas Deane, it was discussed for some time without action.]

SEPTEMBER 16, 1778.

Congress resumed the consideration of the letter of the 11th, from Mr. Deane; whereupon,

Resolved, That Mr. Deane be directed to attend Congress on Friday morning next to answer such questions as the House may propose to him for the better understanding the state and progress of public affairs during his mission in France.

(As to further proceedings, see *infra*, September 18, 1778.)

Sartine to the Commissioners at Paris.

[Translation.]

VERSAILLES, September 16, 1778.

GENTLEMEN: I have received the letter which you did me the honor to write to me on the subject of the French ship *Isabella*, which the American privateer General Mifflin recaptured from a Guernsey privateer.

In the general thesis you may see the disposition of the ordinance of the marine of 1681, which adjudges to captains, captors of recaptured vessels—when they have been during twenty-four hours in the enemy's hands—a third for the charges of rescue, when they are retaken before the twenty-four hours. The American privateers shall enjoy in France, without difficulty, the benefit of this law, if it has been adopted by the United States, in such a manner as that the French privateers may be assured of experiencing the same treatment with respect to the recaptures they may conduct into the ports of North America.

The English laws, on the contrary, grant a privateer only one-eighth of the value of the vessels retaken within the first twenty-four hours, a fifth within the second day, a third within the third and fourth, and afterwards one-half, which leaves at least, in every case, the other half to the losing proprietors. It is possible that the United States, as these laws are less advantageous to the privateers and more favorable to the original proprietors of recaptured vessels, would give the preference to those of France.

In these circumstances, the rules of reciprocity observed between the two powers require that arrangements be taken to adopt the law of one of the two nations, which shall be observed by the respective pri-

* MSS. Dep. of State; printed secret journals of Congress, the latter being imperfect.

† 1 Sparks' Dip. Rev. Corr., 320.

vateers; and in the mean time I am persuaded that you will think with me that the American privateer *General Mifflin* ought not to exact in France other advantages than what, in a similar case, a French privateer would meet with in North America.

This discussion, moreover, should not take place, perhaps, in the particular affair in question. I am just informed that the French proprietor claims his vessel as retaken from pirates, offering to pay a third of its value to the American privateer which delivered it. This is agreeable to the tenth article, under the title of prizes, of the ordinance of 1681, which appears justly applicable to this particular case. If it should be found that the Guernsey privateer falls under the description of those pirates whose depredations have obliged his majesty to order general reprisals, and that she has not been furnished with new letters of marque—which the court of London did not grant before the month of August—to cruise against French vessels, as appears from the declaration of the captain of the *Isabella*, this question will be necessarily submitted to the decision of the tribunals; and I can not do otherwise than see that the most prompt justice be rendered to the American privateer. I request, at any rate, that you will be pleased to give me your opinion on the principal question, taking for granted the different laws of the two nations with respect to reprisals or rescues.

I have the honor to be, etc.,

DE SARTINE.

Franklin, Lee and Adams to Sartine.*

PASSY, September 17, 1778.

SIR: We have this morning the honor of your excellency's letter of the 16th, relative to the French brigantine the *Isabella*, retaken by the American privateer the *General Mifflin* from a Guernsey privateer after having been eight hours in his hands.

We have the honor to agree perfectly with your excellency in your sentiments of the justice and policy of the principle of reciprocity between the two nations, and that this principle requires that French ships of war or privateers should have the same advantage, in case of prizes and recaptures, that the American privateers enjoy in France.

We are so unfortunate at present as to have no copy of any of the laws of the United States relative to such cases, and are not able to recollect with precision the regulations in any of them. But we are informed by Captain M'Neil, that by the law of Massachusetts Bay, if a vessel is taken within twenty-four hours, one-third goes to the recaptors; after twenty-four hours until seventy-two hours, one-half; after seventy-two hours and before ninety-six hours, three-quarters; and after ninety-six hours, the whole.

* MSS. Dep. of State: 1 Sparks' Dip. Rev. Corr., 322, with verbal changes; 7 John Adams' Works, 34.

All that we have power to do in this case is to convey to Congress a copy of your excellency's letter and of our answer, and we have no doubt but Congress will readily recommend to the several States to make laws giving to French privateers either the same advantages that their own privateers have in such cases in their own ports, or the same advantages that the French privateers enjoy in the ports of this kingdom in such cases by the ordinance of the king. And we wish your excellency would signify to us which would probably be most agreeable to his majesty. If the case of this vessel must come before the public tribunal upon the simple question whether she was taken from a pirate or not, that tribunal, we doubt not, will decide with impartiality, but we can not refrain from expressing to your excellency that we think the original owner will be ill advised if he should put himself to this trouble and expense.

We presume not to dispute the wisdom of the ordinance of the king which gives to the recaptor from a pirate only one-third, because we know not the species of pirates which was then in contemplation nor the motives of that regulation. But your excellency will permit us to observe that this regulation is so different from the general practice and from the spirit of the laws of nations, that there is no doubt it ought to receive a strict interpretation, and that it is incumbent on the original proprietor to make it very evident that the first captor was a pirate.

In the case in question, the Guernsey privateer certainly had a commission from the King of Great Britain to cruise against American vessels at least. But admitting, for argument's sake, that he had no commission at all, the question arises whether the two nations of France and England are at war or not. And although there has been no formal declaration of war on either side, yet there seems to be little doubt that the two nations have been at actual war at least from the time of the mutual recall of ambassadors, if not from the moment of the British King's most warlike speech to his Parliament.

Now, if it is admitted that the two nations are at war, we believe it would be without a precedent in the history of jurisprudence to adjudge the subject of any nation to be guilty of piracy for an act of hostility committed at sea against the subject of another nation at war. Such a principle, for what we see, would conclude all the admirals and other officers of both nations guilty of the same offense.

It is not the want of a commission, as we humbly conceive, that makes a man guilty of piracy, but committing hostilities against human kind, at least against a nation not at war.

Commissions are but a species of evidence that nations are at war, but there are many other ways of proving the same thing.

Subjects and citizens, it is true, are forbidden by most civilized nations to arm vessels for cruising against their enemies without a commission from the sovereign, but it is upon penalty of confiscation, or

some other, perhaps, milder punishment, not on the penalties of piracy.

Moreover, perhaps prizes made upon enemies by subjects or citizens without commission from their sovereigns may belong to the sovereigns, not to the captors, by the laws of most nations; but perhaps no nation ever punished as pirates their own subjects or citizens for making a prize from an enemy without a commission.

We beg your excellency's pardon for detaining you so long from objects of more importance, and have the honor to be, etc.

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Franklin, Lee, and Adams to the President of Congress.*

PASSY, September 17, 1778.

SIR: The last letter which we have had the honor to write jointly to Congress was of the 20th of July,† and as we have sent several copies of it by different opportunities, we hope one of them at least will get safe to hand. Since our last there has been an important action at sea between two very powerful fleets, in which, in our opinion, the French had a manifest and great advantage. But as all the newspapers in Europe are full of this transaction, and we have taken in our separate capacities every opportunity to transmit these papers to Congress, we think it needless to be more particular concerning that event in this letter.

The French fleet on the 17th of last month again put to sea, and on the 22d Admiral Keppel sailed. By the best intelligence from London the populace are amused, and the public funds are supported by hopes given out by the administration of peace by an acknowledgment of American independency. But as the credulity of that nation has no bounds, we can draw no inference from this general opinion that such is the intention of government. We suppose that rumor to be a consequence of the mischievous determination of the cabinet to propose independence on condition of a separate peace.

We are here at this moment in a state of the most anxious and critical suspense, having heard nothing from Count d'Estaing nor from America since the 11th of July.

Congress will be informed by Mr. Arthur Lee respecting the court of Spain.

We have taken measures in Amsterdam for borrowing money of the Dutch, but what success we shall have we can not yet say. We have

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 324, with verbal changes; 7 John Adams' Works, 37.

† It is thus in the original, but it will have been seen that there are three short letters to Congress between July 20 and September 17.—SPARKS.

also asked leave of this government to borrow money in this kingdom, but having no answer, we can not say whether we shall get permission or not. We have yesterday applied for a continuation of the quarterly payment of seven hundred and fifty thousand livres; what the answer will be we know not; if it is in the negative, the consequence must be very plain to Congress and to us. It is at all times wisest and safest, both for the representative and his constituent, to be candid, and we should think ourselves criminal if we should disguise our just apprehensions.

Congress, then, will be pleased to be informed that all the powers of Europe are now armed or arming themselves by land or sea, or both, as there seems to be a universal apprehension of a general war. Such is the situation of European nations at least, that no one can arm itself without borrowing money. Besides this, the Emperor and King of Prussia are at actual war. All this together has produced this effect, that France, England, the emperor, Spain, Russia, at least, are borrowing money, and there is not one of them that we can learn but offers better interest than the United States have offered. There can be no motive, then, but simple benevolence to lend to us.

Applications have been frequently made to us by Americans who have been some time abroad to administer the oath of allegiance to the United States, and to give them certificates that they have taken such oaths. In three instances we have yielded to their importunity; in the case of Mr. Moore, of New Jersey, who has large property in the East Indies which he designs to transfer immediately to America; in the case of Mr. Woodford, of Virginia, a brother of General Woodford, who has been some time in Italy, and means to return to America with his property; and yesterday, in the case of Mr. Montgomery, of Philadelphia, who is settled at Alicant, in Spain, but wishes to send vessels and cargoes of his own property to America. We have given our opinions to these gentlemen frankly that such certificates are in strictness legally void, because there is no act of Congress that expressly gives us power to administer oaths. We have also given two or three commissions by means of the blanks with which Congress intrusted us; one to Mr. Livingston and one to Mr. Amiel, to be lieutenants in the navy, and in these cases we have ventured to administer the oaths of allegiance. We have also in one instance administered the oath of secrecy to one of our secretaries, and perhaps it is necessary to administer such an oath, as well as that of allegiance, to all persons whom we may be obliged in the extensive correspondence we maintain to employ. We hope we shall not have the disapprobation of Congress for what in this way has been done, but we wish for explicit powers and instructions upon this head.

There are among the multitude of Americans who are scattered about the various parts of Europe some, we hope many, who are excellent citizens, who wish to take the oath of allegiance, and to have

some mode prescribed by which they may be enabled to send their vessels and cargoes to America with safety from their own friends, American men-of-war and privateers. Will it not be practicable for Congress to prescribe some mode of giving registers of ships, some mode of evidence to ascertain the property of cargoes, by which it might be made to appear to the cruisers and court of admiralty that the property belonged to Americans abroad? If Congress should appoint consuls, could not such power be given to them, or would Congress empower their commissioners or any others? Several persons from England have applied to us to go to America. They profess to be friends to liberty, to republics, to America; they wish to take their lot with her, to take the oath of allegiance to the States, and to go over with their property. We hope to have instructions upon this head and a mode pointed out for us to proceed in.

In observance of our instructions to inquire into M. Holker's authority, we waited on his excellency the Count de Vergennes, presented him with an extract of the letter concerning him, and requested to know what authority M. Holker had. His excellency's answer to us was that he was surprised, for that M. Holker had no verbal commission from the ministry; but that M. de Vergennes, being informed that M. Holker was going to America, desired him to write to him, from time to time, the state of things and the temper of the people.

We have given orders to M. Bonfield, at Bordeaux, to ship to America twenty-eight 24-pounders, and twenty-eight 18-pounders, according to our instructions. By his answer to us it will take some little time, perhaps two or three months, to get those cannon at a good rate and in good condition.

Our distance from Congress obliges us very often to act without express instructions upon points in which we should be very happy to have their orders; one example of which is, the case of the American prisoners in England.*

* The British Government resisted the exchange of prisoners, taken on European waters, on three grounds:

(1) This involved a recognition of belligerent rights in the insurgents.
(2) American prisoners could be kept out of harm's way in England; not so with British prisoners taken by American vessels, as long as France refused to permit such prisoners to be landed and imprisoned on shore.

(3) British seamen being far more numerous than American, exchange would tell more favorably for the latter than the former.

Hence, even to the end of the war there was always a large body of Americans imprisoned in England: and even when there were from time to time exchanges, the prisoners released were let loose without means of support. Whether in or out of prison, they formed a constant source of anxiety to Franklin; and a large part of his correspondence consists of letters as to their relief in prison or their sustenance and traveling expenses when discharged. That when in prison in England they were treated with extreme harshness is admitted by English authorities. (Ann. Reg., 1778, p. 78; 1 Hale's Franklin in France, 197; see for further correspondence as to prisoners in England, analytical index, title "Prisoners,")

Numbers have been taken and confined in goals; others, especially masters of vessels, are set at liberty. We are told there are five hundred yet in England. Many have escaped from their prisons, who make their way to Paris, some by the way of Holland, others by Dunkirk, and others by means of smuggling vessels in other ports in this kingdom. They somehow get money to give gaolers in order to escape, then they take up money in England, in Holland, in Dunkirk, and elsewhere to bear their expenses to Paris, then they apply to us to pay their other expenses, and expenses to Nantes, Brest, and other seaport towns. When arrived there, they apply to the American agent for more money; besides this, bills of their drawing are brought to us from Holland and other places; all this makes a large branch of expense. We have no orders to advance money in these cases, yet we have ventured to advance considerable sums; but the demands that are coming upon us from all quarters are likely to exceed so vastly all our resources, that we must request positive directions whether we are to advance money to any prisoners whatever. If to any, whether to merchants and seamen of private vessels and to officers and crews of privateers, as well as to officers and men in the continental service. We have taken unwearyed pains, and have put the United States to very considerable expense, in order to give satisfaction to these people, but all we have done has not the effect; we are perpetually told of discontented speeches, and we often receive peevish letters from these persons, in one place and another, that they are not treated with so much respect as they expected, nor furnished with so much money as they wanted. We should not regard these reflections if we had the orders of Congress.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Necker to Vergennes.

[Translation.*]

PARIS, September 18, 1778.

SIR: I conclude from your note of the 5th instant that the commissioners of the North American Congress have informed you that there are many Americans in England, and other parts of Europe, who, desirous of returning to their country, have requested permission to transport their effects through France without being subjected to the payment of duties.

Such an exemption would be contrary to all rule, and could only be granted by means of passports, which would indemnify the public chest; you will doubtless see that such is not the case here.

This favor, however, can be shown them: The transit regularly

* 1 Sparks' Dip. Rev. Corr., 328.

gives occasion for a duty on the importation and a second on the exportation; only one of these shall be imposed; it shall be paid at the office of entry; the effects shall be estimated at a very moderate rate if they are not new; they shall then be transported with free permits, and under seal, to secure them from new examinations on the route until they leave the kingdom. I think you will agree that it would not be possible to grant them more favorable terms. I beg you to request the commissioners to make known to us those Americans for whom this favor is requested, that I may give the necessary orders and prevent all abuses in this respect.

I have the honor to be, etc.,

NECKER.

Congress—Deane's Case.*

SEPTEMBER 18, 1778.

The committee to whom were referred the letters from the Hon. Arthur Lee of 6th, 15th, and 31st January, 1778, and the letter of 16th January, 1778, from the Hon. B. Franklin and S. Deane, brought in a report, which was read; whereupon a member in his place informed the House that he had information that W. Carmichael had charged Mr. Deane with misapplication of the public money, etc. Being called upon to reduce this information to writing, he delivered in a paper which was read as follows:

R. H. Lee is informed that Mr. Carmichael did some time in the last spring or winter, say in Nantes, that he knew Mr. Dean had misapplied the public money, and that Mr. Carmichael did in strong terms reprobate Mr. Deane's conduct, both in his public and private character; that Mr. Carmichael said an open rupture had taken place between Mr. Arthur Lee and the gentlemen at Passy; that they had come to a resolution to do business without consulting Mr. Lee on any occasion, and that he (Mr. Carmichael) knows the excuse will be made to Congress that the French ministry have desired it, though he does not doubt that desire has arose from Mr. Deane's insinuations; that Mr. Carmichael condemned Mr. Deane's conduct towards Mr. Lee, and was pointedly severe in reprobating the system and measures that he had pursued in his public character, and which he said he would fully unfold when he came to America.

(See *infra*, Sept. 22, 1778.)

Chaumont to Adams.†

[Translation.]

PASSY, September 18, 1778.

SIR: I have received the letter which you did me the honor to write to me on the 15th instant, making inquiry as to the rent of my house in which you live for the past and the future. When I consecrated my

* MSS. Dep. of State; printed secret journals of Congress, the latter being imperfect. (See *supra*, Sept. 16, 1778.)

† 2 Sparks' Dip. Rev. Corr., 557; 7 John Adams' Works, 32.

house to Dr. Franklin and his associates who might live with him, I made it fully understood that I should expect no compensation, because I perceived that you had need of all your means to send to the succor of your country, or to relieve the distresses of your countrymen escaping from the chains of their enemies. I pray you, sir, to permit this arrangement to remain, which I made when the fate of your country was doubtful. When she shall enjoy all her splendor, such sacrifices on my part will be superfluous or unworthy of her; but at present they may be useful, and I am most happy in offering them to you.

There is no occasion for strangers to be informed of my proceeding in this respect. It is so much the worse for those who would not do the same if they had the opportunity, and so much the better for me to have immortalized my house by receiving into it Dr. Franklin and his associates.

I have the honor to be, sir, with the most perfect respect, etc.,
LE RAY DE CHAUMONT.*

Adams to the President of Congress.†

PASSY, September 20, 1778.

SIR: I have the honor to enclose the latest gazettes, which contain all the news of Europe. The news from America by the way of London, which is contained in the *Courrier de l'Europe* of the 15th instant, have raised our expectations and increased our anxiety. We are not without apprehensions that the Count d'Estaing may fall in with the combined fleets of Howe and Byron.

The English are beginning to elevate their heads a little, and to renew their old insolent language both in coffee-houses and in daily papers. The refugees from America, unable to bear the thought of being excluded forever from that country, and still less that of soliciting for pardon from their injured countrymen, and returning to see established principles which they detest, and forms of government against which they have ever combated, are said to be indefatigable in instilling hopes into the king and ministers, that by persevering another campaign and sending twenty thousand more men to America the people will be worn out and glad to petition for dependence upon them.

They flatter themselves and others with hopes that Spain will remain neuter, and that by intriguing in France they can get the French ministry changed, and then that they shall have little trouble from this quarter. Nothing can be more whimsical, more groundless or ridiculous, than all this. Yet it is said to please and amuse the credulous multitude in that devoted island. Those who pretend to know the bosoms of the persons highest in power in that kingdom say that they

* See on this subject *supra*, Introduction, § 125.

† 2 Sparks' *Dip. Rev. Cor.*, 558.

delight themselves with the thought that it is not in their power to reduce America once more to their yoke, yet they are able to harass, to distress, and to render miserable those whom they can not subdue. That they have some little compunction at the thought that they shall be ranked in history with the Philips and Alvas, the Alberts and Gislers of this world; but this, instead of producing repentance and reformation, as it ought, engenders nothing but rage, envy, and revenge. This revenge, however, is impotent. Their marine and their finances are in so bad a condition that it is with infinite difficulty they can cope with France alone even at sea; and it seems to be the intention of Providence that they shall be permitted to go on with their cruelties just long enough to wean the affection of every American heart, and make room for connections between us and other nations, who have not the ties of language, of acquaintance, and of custom to bind us.

I am, with the most perfect respect, sir, your most obedient, humble servant,

JOHN ADAMS.

Adams to Izard.*

PASSY, September 20, 1778.

DEAR SIR: You have once or twice mentioned to me in conversation certain expressions in the treaty relative to the fishery on the banks of Newfoundland, which you apprehend may be liable to different constructions and become the subject of controversy, if not the cause of war; but as it is very possible I may not have perfectly comprehended your meaning, I should be much obliged to you if you would state in writing, together with the historical facts, which are fresh in your memory, for the illustration of it.

If I understood you, your apprehension arises from the tenth article of the treaty.

"The United States, their citizens and inhabitants, shall never disturb the subjects of the most Christian King in the enjoyment and exercise of the right of fishing on the banks of Newfoundland, *nor in the indefinite and exclusive right which belongs to them on that part of the coast of that island which is designed by the treaty of Utrecht, nor in the rights relative to all and each of the isles which belong to his most Christian majesty; the whole conformable to the true sense of the treaties of Utrecht and Paris.*

Les États-Unis, leurs citoyens et habitans, ne troubleront jamais les sujets du roi très chrétien dans la jouissance et exercice du droit de pêche sur les bâches de Terre-Neuve, non plus que dans la jouissance indéfinie et exclusive qui leur appartient sur la partie des côtes de cette île désignée dans le traité d'Utrecht, ni dans les droits relatifs à toutes

et chacune des isles qui appartiennent à sa majesté très chrétienne; le tout conformément au véritable sens des traités d'Utrecht et de Paris."

You mentioned to me the names of two places, from the one of which to the other the French formerly claimed a right to fish and to exclude all other nations, and that such a right was claimed in the negotiation of the last peace, and you was apprehensive that such a claim might in future times be revived. I should be very happy to receive your sentiments fully upon this subject, as it is no doubt of importance to us all.

I am, with much esteem and affection, your friend and humble servant,

JOHN ADAMS.

Franklin, Lee, and Adams to the American Prisoners in Plymouth or elsewhere in Great Britain.*

PASSY, September 20, 1778.

GENTLEMEN: Although we have not written to you directly for some time, you may be assured we have not been unmindful of your interests, your comfort, or your liberty. We have been engaged a long time in negotiating a cartel of exchange. This work we found attended with many difficulties, but at last have obtained assurances from England that an exchange shall take place. We have also obtained from the government of this kingdom a passport for a vessel to come from England to Nantes or L'Orient with American prisoners, there to take in British prisoners in exchange. We now sincerely hope that you will obtain your liberty. We can not certainly say, however, that all will be immediately exchanged, because we fear we have not an equal number to be sent to England. Those that remain, if any, will be those who have been the latest in captivity, and consequently have suffered the least.

While the British Government refused to make any agreement of exchange, the commissioners here never discouraged their countrymen from escaping from the prisons in England; but, on the contrary, have lent several sums of money (sufficient, with great economy, to bear their expenses to some seaport) to such as have made their way hither. But if the British Government should honorably keep their agreement to make a regular exchange, we shall not think it consistent with the honor of the United States to encourage such escapes, or to give any assistance to such as shall escape. Such escapes hereafter would have a tendency to excite the British administration to depart from the cartel, to treat the prisoners remaining with more rigor, and to punish those that escape, if retaken, with more severity.

On the other hand, we have now obtained permission of this government to put all British prisoners—whether taken by continental

* 1 Sparks' Dip. Rev. Corr., 328; 7 John Adams' Works, 40.

frigates or by privateers—into the king's prisons; and we are determined to treat such prisoners precisely as our countrymen are treated in England; to give them the same allowance of provisions and accommodations, and no other. We, therefore, request you to inform us with exactness what your allowance is from the government, that we may govern ourselves accordingly.

We have the honor to be, with much respect and affection, your countrymen and humble servants,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Sartine to the Commissioners at Paris.

[Translation.*]

VERSAILLES, September 21, 1778.

GENTLEMEN: I have had the honor of receiving your note of the 17th instant. I have no doubt that my observations on the necessity of a perfect reciprocity between the two nations in regard to recaptures at sea appear to you just. I am sorry that you have not at hand a copy of the laws of the United States relative to this subject. Many difficulties, which the distance of the two countries may render very frequent, might thus have been prevented. The laws of Massachusetts Bay, referred to by Captain M'Neil, are different from those of England, and somewhat resemble the French. The English regulations seem to be more favorable to the interests of commerce (which should never be lost sight of even in war), by allowing half of the vessel, in all cases, to the original owner. But it is particularly important that the different states should adopt some uniform and permanent system in regard to this subject, so that there may not be different regulations for each state, which the ignorance of the commanders of privateers will prevent them from applying to different circumstances, thus giving rise to difficulties which might be avoided by uniform legislation.

With regard to the recapture of the *Isabella* by Captain M'Neil, I have merely indicated to you the grounds on which the owners rested their claims in their letter to me. It is not the province of the government to examine them; that matter comes under the jurisdiction of the courts. If their sentence should be unfavorable to the original owners, you will certainly agree that a third, or even a half, of the value of the vessel ought to be deposited in the hands of a public officer appointed for that purpose until the two nations shall agree upon some reciprocal regulations concerning vessels recaptured from the common enemy.

I have the honor to be, etc.,

DE SARTINE.

* 1 Sparks' Dip. Rev. Corr., 330.

Sartine to Vergennes.

[Translation.*]

VERSAILLES, September 21, 1778.

SIR : I have had the honor to receive your note of the 5th instant, informing me of the wish of the commissioners of the United States of North America to engage your good offices with the king that the necessary measures may be taken to fulfill his majesty's engagements under the eighth article of the treaty of February 6 of the present year in reference to the Barbary powers.[†] I have examined the article, and find that the king promised to employ his mediation with the Emperor of Morocco and the other Barbary powers in order to provide as fully as possible for the interest and security of the citizens of the United States and the protection of their vessels and effects against all violence, insult, attacks, or depredations by the said Barbary powers or their subjects.

From the nature of this engagement, it appears to me proper to use all means to comply with it, notwithstanding any difficulties which seem to lie in the way. But, before presenting any plan to his majesty, it seems to me necessary to inform him of the actual dispositions of the United States and of the measures they may deem desirable on the part of France.

Do the United States wish to conclude treaties with the Barbary powers, or do they wish merely that our influence should be exerted to make their flag respected by those powers? In the latter case we should never succeed; or, if we should obtain liberty of commerce for the United States from some of them, it would be an illusory, temporary, and precarious permission, and would infallibly expose us, without being of the least benefit to the citizens of the United States. The Alge-rides, in particular, would never acknowledge the flag of the United States, unless it were made for their interests to do so.

You know too well, sir, the character of the Barbary States and their policy to be ignorant of the inefficacy and dangers of such a measure. It would probably be less difficult to induce them to acknowledge the independence of the United States, and to conclude treaties with this new power. It is necessary to know beforehand what are the instructions of the commissioners, and whether they are authorized to negotiate with the Barbary powers under the mediation of France. If Congress has this intention, then I could receive the orders of the king to give the commissioners the information necessary for entering upon a negotiation with the Barbary powers, and we should be able to concert effectual measures for succeeding in this object, without exposing our own interests for those of the United States. This negotiation will be long

* 1 Sparks' Dip. Rev. Corr., 330. A more accurate translation is given in MSS. vol. 10^b, p. 145, Letters of Joint Commissioners.

† See Schuyler's American Diplomacy, 194.

and arduous, but I will neglect nothing to assure its success if the Congress determine to prosecute it and you consider the king pledged to forward it. I shall wait for your reply before making any overtures.

I have the honor to be, etc.,

DE SARTINE.

Congress—Deane's Case.—Dissension of Ministers abroad.*

SEPTEMBER 22, 1778.

Whereas information hath been given to Congress, from which it is probable that William Carmichael, esq., is possessed of a knowledge of the conduct of Silas Deane, esq., late commissioner at the court of Versailles, touching the application of the public moneys of these United States and other matters relating to his public character;

Resolved, That the said William Carmichael be directed to attend at the bar of this House this afternoon to be examined in the premises.

Whereas certain dissensions detrimental to the public service are said to have existed among the American commissioners in Europe—

Resolved, That the said William Carmichael be also examined touching the said dissensions and the conduct of the said commissioners as far as the same may have come to his knowledge.

Ordered, That the consideration of the letter of the Hon. Silas Deane be postponed until the examination of William Carmichael, esq., is taken, and that Mr. Deane be informed thereof.

On motion,

Resolved, That Mr. Carmichael be examined upon oath; that the secretary take down in writing the questions propounded and the answers given to them. A motion was made that the form of the oath be:

"You swear that you will true answers make to all such questions as shall be propounded to you by this House: so help you God."

To this an amendment was moved that the form of the oath be:

"You swear that the evidence you shall give to this House concerning the matters now in question shall be the truth, the whole truth, and nothing but the truth: so help you God."

Another amendment was moved:

"You shall declare what you know of the conduct of the Hon. Silas Deane, esq., late commissioner at the court of Versailles, touching the application of the public moneys of these United States and other matters relating to his public character, and also what you know of certain dissensions detrimental to the public service said to exist among the American commissioners in Europe and of the conduct of the said commissioners; you shall tell the truth, the whole truth, and nothing but the truth: so help you God."

* MSS. Dep. of State; printed secret journals of Congress, the latter being imperfect. (See *supra*, Sept. 11, 18, 1778.)

On the question to agree to the last amendment, the yeas and nays being required by Mr. Chase:

New Hampshire	Mr. Bartlett.....	Aye.	Aye.
Massachusetts Bay	{ Mr. S. Adams.....	Aye.	
	{ Mr. Gerry.....	Aye.	{ Aye.
	{ Mr. Holton	Aye.	
Rhode Island.....	Mr. Marchant	No.	No.
Connecticut	Mr. A. Adams	No.	No.
New York	{ Mr. Lewis	Aye.	
	{ Mr. Duer	No.	{ Aye.
	{ Mr. G. Morris	Aye.	
New Jersey	Mr. Witherspoon	No.	No.
Pennsylvania	{ Mr. R. Morris	No.	
	{ Mr. Roberdeau	No.	{ No.
	{ Mr. Jas. Smith	No.	
	{ Mr. Clingan	No.	
Maryland	{ Mr. Chase	No.	
	{ Mr. Plater	No.	{ No.
	{ Mr. Forbes	No.	
	{ Mr. Henry	No.	
Virginia	{ Mr. Harvie	No.	
	{ Mr. Banister	No.	{ No.
	{ Mr. R. H. Lee	Aye.	
	{ Mr. Griffin	No.	
North Carolina	{ Mr. Penn	No.	
	{ Mr. Harnett	No.	{ No.
	{ Mr. Williams	No.	
South Carolina	{ Mr. Laurens	No.	
	{ Mr. Drayton	No.	{ No.
	{ Mr. Matthews	No.	
Georgia	{ Mr. Walton	No.	
	{ Mr. Telfair	No.	{ No.
	{ Mr. Langworthy	No.	

So it passed in the negative.

On the question to agree to the first amendment, the yeas and nays being required by Mr. A. Adams:

New Hampshire	Mr. Bartlett.....	Aye.	Aye.
Massachusetts Bay	{ Mr. S. Adams	Aye.	
	{ Mr. Gerry	No.	{
	{ Mr. Lovell	Aye.	
	{ Mr. Holton	No.	
Rhode Island.....	Mr. Marchant	No.	No.
Connecticut	Mr. A. Adams	Aye.	Aye.
New York	{ Mr. Lewis	Aye.	
	{ Mr. Duer	No.	{ No.
	{ Mr. G. Morris	No.	
New Jersey	Mr. Witherspoon	Aye.	Aye.
Pennsylvania	{ Mr. R. Morris	No.	
	{ Mr. Roberdeau	Aye.	{
	{ Mr. Jas. Smith	No.	
	{ Mr. Clingan	Aye.	
Maryland	{ Mr. Chase	No.	
	{ Mr. Plater	No.	{ No.
	{ Mr. Forbes	No.	
	{ Mr. Henry	No.	
Virginia	{ Mr. Harvie	No.	
	{ Mr. Banister	No.	{ No.
	{ Mr. R. H. Lee	Aye.	
	{ Mr. Griffin	No.	

North Carolina	{ Mr. Penn	No.	{ No.
	{ Mr. Harnett	No.	
	{ Mr. Williams	No.	
South Carolina	{ Mr. Laurens	Aye.	{ No.
	{ Mr. Drayton	No.	
	{ Mr. Matthews	No.	
Georgia	{ Mr. Walton	No.	{ No.
	{ Mr. Telfair	No.	
	{ Mr. Langworthy	No.	

So it passed in the negative:

On putting the main question, the yeas and nays being required by Mr. G. Morris:

New Hampshire	Mr. Bartlett	No.	No.
Massachusetts Bay	{ Mr. S. Adams	No.	{ Aye.
	{ Mr. Gerry	Aye.	
	{ Mr. Lovell	Aye.	
	{ Mr. Holton	Aye.	
Rhode Island	Mr. Marchant	Aye.	Aye.
Connecticut	Mr. A. Adams	No.	No.
New York	{ Mr. Lewis	Aye.	{ Aye.
	{ Mr. Duer	Aye.	
	{ Mr. G. Morris	Aye.	
New Jersey	Mr. Witherspoon	No.	No.
Pennsylvania	{ Mr. R. Morris	Aye.	{ Aye.
	{ Mr. Roberdeau	No.	
	{ Mr. Jas. Smith	Aye.	
	{ Mr. Clingan	Aye.	
Maryland	{ Mr. Chase	Aye.	{ Aye.
	{ Mr. Plater	Aye.	
	{ Mr. Forbes	Aye.	
	{ Mr. Henry	Aye.	
Virginia	{ Mr. Harvie	Aye.	{ Aye.
	{ Mr. Banister	Aye.	
	{ Mr. R. H. Lee	No.	
	{ Mr. Griffin	Aye.	
North Carolina	{ Mr. Penn	Aye.	{ Aye.
	{ Mr. Harnett	Aye.	
	{ Mr. Williams	Aye.	
South Carolina	{ Mr. Laurens	No.	{ No.
	{ Mr. Drayton	No.	
	{ Mr. Matthews	No.	
Georgia	{ Mr. Walton	Aye.	{ No.
	{ Mr. Telfair	No.	
	{ Mr. Langworthy	No.	

So it was resolved in the affirmative.*

*The following proceedings may be taken in connection with the above:

SEPTEMBER 25, 1778.

A letter of September 24 from Mr. S. Deane was read, intimating that he is informed that letters from Mr. Izard reflecting on his character and conduct whilst in the service of the public abroad have been read in Congress, and requesting to be furnished with copies thereof, and that he may be permitted to wait on Congress and to be heard in his vindication.

Ordered, That Mr. Deane be furnished with extracts of all such parts of Mr. Izard's letters read in this House on the 19th as relate to his public character.

SEPTEMBER 26.

Ordered, That Mr. Carmichael be directed to attend at the bar of this House on Monday afternoon, at 3 o'clock, to be examined touching the matters set forth in the resolution of the 22d.

Franklin, Lee, and Adams to the President of Congress.*

PASSY, September 22, 1778.

SIR: This will be delivered to you by Mr. Jonathan Loring Austin,† who was sent the last year express to France with the news of the convention of Saratoga. He has resided chiefly in this kingdom from that time, and has been employed in the service of the public a part of the time, and his behavior from first to last has given entire satisfaction to us. We think it our duty, therefore, to recommend him to Congress as a gentleman of merit, of ability and diligence in business, zealously attached to the cause of his country, and of exemplary prudence and decency.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Ordered, That Tuesday afternoon be assigned for hearing the Hon. Silas Deane, and that he be notified to attend on that day at 3 o'clock.

SEPTEMBER 28.

Mr. Carmichael, attending, was called in and sworn, and sundry questions being asked and answers returned, he had leave to withdraw.

Ordered, That Mr. Carmichael attend at the bar of this House on Wednesday next at 10 o'clock to be further examined.

SEPTEMBER 29.

Ordered, That the hearing of Mr. Deane be postponed till the examination of Mr. Carmichael is finished, and that Mr. Deane be informed thereof.

SEPTEMBER 30, 1778.

Mr. Carmichael, attending according to order, was called in, and the House proceeded in his examination.

Ordered, That Mr. Carmichael attend on Friday afternoon to be further examined.

OCTOBER 3, 1778.

The committee for foreign affairs laid before Congress a letter of 1st June from the honorable A. Lee, at Paris, which was read.

Ordered, That the honorable Silas Deane, esq., be furnished with a copy of the said letter so far as relates to him.

OCTOBER 5, 1778.

Ordered, That Mr. Carmichael attend this afternoon at 4 o'clock to be further examined.

P. M.

Mr. Carmichael, attending according to order, was called in, and being further examined, was ordered to withdraw.

For further proceedings, see *infra*, Oct. 14, 1778.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 332.

† See Introduction § 195.

Adams to Franklin.*

PASSY, September 22, 1778.

SIR: Upon looking over the account of the expenditure of the money for which we have jointly drawn upon the banker since my arrival at Passy, I find some articles charged for similar ones to which I have paid in my separate capacity. I do not mean to be difficult about these things, but that we may have plan for the future, I beg leave to propose that the wages and expenses of the *maitre d'hôtel* and cook, and of all the servants, their clothes, and every other expense for them, the wages, clothes, and other expenses of the coachman, the hire of the horses and carriage, the expense of postage of letters, of expresses to Versailles and Paris and elsewhere, of stationary ware, and all the expenses of the family should be paid out of the money to be drawn from the banker by our joint order. If to these Dr. Franklin chooses to add the washerwoman's account for our servants, etc., as well as ourselves, I have no objection; receipts to be taken for payments of money, and each party furnished with a copy of the account, and a sight of the receipts once a month if he desires it. The expenses of a clerk for each may be added, if Dr. Franklin pleases, or this may be a separate expense, as he chooses. Expenses for clothes, books, and other things, and transient pocket expenses, to be separate. Or if any other plan is more agreeable to Dr. Franklin, Mr. Adams begs him to propose it. The accounts of our sons at school may be added, if Dr. Franklin chooses it, to the general account, or otherwise.

For my own part, when I left America I expected, and had no other thought, but to be at the expense of my son's subsistence and education here in my private capacity, and I shall still be very contented to do this, if Congress should desire it. But while other gentlemen are maintaining and educating large families here, and enjoying the exquisite felicity of their company at the same time, perhaps Congress may think it proper to allow this article to us as well as to them; and I am sure I do not desire it, nor would I choose to accept it if it were not allowed to others, although, perhaps, the duties, labors, and anxieties of our station may be greater than those of others,

I am, sir, your inmate, and most obedient servant,

JOHN ADAMS.

Deane to the President of Congress.†

PHILADELPHIA, September 22, 1778.

SIR: In consequence of an order of Congress on the 8th of December, 1777, for me to embrace the first opportunity of returning to America, and "upon my arrival repair with all possible dispatch to Congress,

* 7 J. Adams' Works, 43.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 92, with verbal changes.

that they might be well informed of the state of affairs in Europe in that critical juncture," I left Paris the 1st of April last, having received the order on the 4th of March preceding, and arrived in Philadelphia, the seat of Congress, on the 13th of July following, ready, at the pleasure of Congress, to render such information as was in my power to give. In this situation I continued until the 15th of August, when I received the order of Congress to attend them on the 17th, on which day, and on the 21st, I had the honor personally to inform Congress generally of my public transactions under their authority from the time of my departure from Philadelphia in March, 1776, until my return.

In these audiences, I particularly stated and explained the unsettled state in which the commercial transactions of the commissioners in Europe were at my departure, and that as well from their nature and extent as that even at my departure from Paris, many large orders were not completed, and, of consequence, neither the accounts nor vouchers delivered; that the interval between my receiving my order of recall and my departure in compliance with it was so short as to render it impossible for me to arrange these affairs further than to be able to give a general state of them, which I then mentioned generally, and added, that I was under the necessity of returning speedily to Europe, as well on account of those as of other important affairs left by my sudden departure in an unsettled state. At my last audience I found and expected that I should be called upon to answer questions which might be put to me for the obtaining more clear and explicit information than what I had given of some particulars in my general narration, and I held myself in readiness to attend the pleasure of Congress for that purpose. In this situation, my private affairs pressed my immediate departure from Philadelphia, and my public as well as private affairs in Europe no less urged my departure from America. On the 8th of September, I took the liberty of reminding that honorable body that I was still waiting to receive their orders, if they desired my further attendance upon them; and my affairs daily pressing, on the 11th of September I again reminded Congress of my waiting their pleasure, and took the liberty of mentioning the reasons that pressed me to be anxious for their speedy decision. As Congress have not thought proper to make any reply to my letters, nor to admit me to lay before them such further information as they may desire and I am enabled to give, and as from the many weighty affairs upon their hands it is uncertain when I may be admitted, and as my affairs will not permit my longer continuance in Philadelphia, I take the liberty of enclosing to your excellency the account of the banker in whose hands all the public moneys were deposited, of which I gave you some time since a general state for your private information, and which I obtained from the banker but a day or two before my departure from Paris, with the view of giving all the information in my power on every subject to Congress in which they were interested, and which account I expected in the course of my narration to have delivered personally to Congress.

As to any other subject on which further information may be desired, I shall be ready to give it whenever that honorable body shall call on me for it during the short time my affairs will permit me to tarry in this city. I have indeed thought that some further information would be necessary; I have daily expected to be called upon for it. On this consideration alone I have, notwithstanding the pressing circumstances I have found myself in, waited with patience the orders of Congress. I shall be happy if such information, or any other service in my power, may be found agreeable and of use to that respectable body and the United States, to whom I have long since, and ever shall be, devoted. I have only further to request that honorable body to be assured that I shall ever retain a most grateful sense of the confidence which they have heretofore honored me with, and consider it as the most honorable and happy circumstance of my life that I have had the opportunity of rendering important services to my country, and that I am conscious of having done them to the utmost of my ability.

I have the honor to remain, with the utmost respect, etc.,

SILAS DEANE.

Van Berckel to Dumas.

[Translation.]*

AMSTERDAM, September 23, 1778.

SIR: I have the honor to transmit to you herewith the declaration, which I am authorized to make, in order to prevent any mistake as to the intentions of the burgomasters of the city of Amsterdam; since it will be made evident by the above-mentioned declaration that they have not the absurd design of concluding a convention independently of their high mightinesses, but only to make such preparations as are possible to accelerate the conclusion of a treaty of commerce when the opportunity shall present. It is plain that a treaty of commerce can not be concluded unless the principal commercial city of the republic gives its consent thereto, and that it can not give its consent without having examined the terms. This examination may as well precede as follow the acknowledgment of the independence of America by the English, in which case we should gain much time.

With regard to the terms, I will explain my own views, sir, in a very few words, viz: That, in general, we should grant each other mutually all the facilities necessary to render commerce as free as possible, and that for this purpose we should take the treaty between France and America as the basis, changing nothing except those provisions which can not be applicable in the republic.

If this principle accord with the views of Congress on this subject, I will have the above-mentioned treaty examined by experienced mer-

*¹ Sparks' Dip. Rev. Corr., 332.

chants, and communicate to you their opinion with regard to the additions or omissions necessary to negotiate a treaty of commerce between the republic and the United States of America on that basis.

If you wish for any further explanations, I beg you, sir, to give me information; but I think the views I have proposed so simple, that nothing further will be necessary.

I have the honor to be, sir, etc.,

E. T. VAN BERCKEL.

DECLARATION OF VAN BERCKEL.

[Translation.]*

AMSTERDAM, September 23, 1778.

The undersigned, pensionary of the city of Amsterdam, has the honor to make known to those who are duly authorized by the Congress of the United States of America that he is empowered by the burgomasters of the aforementioned city to declare in their names that, provided the said Congress do not enter into any engagement with the English commissioners which may be hurtful or prejudicial to the commerce of the republic of the United Provinces, directly or indirectly, the aforesaid burgomasters on their side will be entirely disposed, as far as depends on them, so to direct the course of affairs, that whenever the independence of the said United States of America shall be recognized by the English, a perpetual treaty of amity shall be concluded between this republic and the aforesaid United States, containing the most extensive reciprocal advantages in relation to the commerce of the subjects of the two powers.

The undersigned has the honor further to declare, that it is the will of said burgomasters that this declaration may be employed as shall be thought expedient, with the necessary precaution that it shall not come to the knowledge of those interested, to prevent, if possible, or at least to obstruct, the execution of a plan which has no other object than to promote the mutual happiness and the true interests of the two republics,

E. T. VAN BERCKEL.

Deane to the President of Congress.†

PHILADELPHIA, September 24, 1778.

SIR: Being informed that letters from Mr. Izard, reflecting on my character and conduct whilst in the service of the public abroad, have been read in Congress, I have to ask that honorable body to grant me copies thereof, and that I may be permitted to wait on Congress and to be heard in my vindication. I have that regard for Mr. Izard's opinion of my ability and disposition to transact public business which I ought to have, and am consequently easy on that subject; but facts asserted, which affect either, call for an explanation. Those, indeed, which respect myself personally require none before Congress, nor will

* 1 Sparks' Dip. Rev. Corr., 333.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 94.

I trouble that honorable body with the making any; but those which regard my character and conduct as a public minister, and in so important a transaction as that of the late treaties of Paris, call on me, as well in justice to the public as to myself, for an explanation, which I am very happy in the having it in my power to give, as well as in the confidence I have that Congress will neither delay nor refuse doing this justice to a faithful and greatly injured servant of theirs.

I have the honor to be, etc.,

SILAS DEANE.*

Vergennes to the Commissioners at Paris.

[Translation.]†

VERSAILLES, September 24, 1778.

GENTLEMEN: By your note of the 28th of August, you requested free entry, with exemption from all duties, of the effects of many Americans in Europe desirous of returning to their country. I have communicated your request to M. Necker, and send you herewith his reply. You will see in it the reasons which render it impossible to comply with your wishes and the arrangements which can be made to favor the Americans who wish to send their effects to America by way of France.

I have the honor to be, gentlemen, etc.

DE VERGENNES.

Izard to Adams.‡

PARIS, September 24, 1778.

DEAR SIR: I must apologize for not having given you an immediate answer to your letter of the 20th instant, which would have been the case, if I had not been much employed in writing, on account of the sudden departure of Mr. Blake for Nantes. It has been my constant wish that, as soon as Great Britain shall be compelled, by the virtuous exertions of our countrymen, to abandon her plans of conquest, we may enjoy the blessings of peace, uninterrupted by disputes with any power whatsoever. Contentions with France ought, above all others, to be avoided from every consideration. It is upon this account that I have suffered great uneasiness from some articles in the treaties with this court, which I fear will, in some future day be productive of much discontent and mischief. Two of those articles have been pointed out by Congress, and by their direction have been altered. The little time

* See order of Congress, September 25, 1778, printed *supra*, note to proceedings in Deane's case, September 22, 1778.

† 1 Sparks' Dip. Rev. Corr., 334.

‡ 7 J. Adams' Works, 44.

which was spent in examining the treaties may be the reason why some other parts may have escaped their attention; and I wish they may not occur to them when it is too late. Had the "alterations that were proposed on either side" to be made from the treaty originally transmitted by Congress to the commissioners at this court been communicated to me, some good might possibly have been derived from it. I have no doubt but it was the indispensable duty of those gentlemen to have made such communication, and if any evils should be sustained in consequence of their persisting in their refusal to make them, in spite of every application on my part, they ought to be answerable for them to their country. This, however, is not the proper time nor place for the discussion of these points. I shall, therefore, proceed to take notice of that part of the treaty only which you have done me the honor to ask my sentiments upon.

The eighth article of the original treaty, proposed by Congress, contains the following words: "The most Christian King shall retain the same rights of fishery on the banks of Newfoundland, and all other rights relating to any of the said islands, which he is entitled to by virtue of the treaty of Paris."

The thirteenth article of the treaty of Utrecht contains the following:

"It shall be allowed to the subjects of France to catch fish and to dry them on land in that part only, and in no other besides that, of the said island of Newfoundland which stretches from the place called Cape Bonavista to the northern point of said island, and from thence, running down by the western side, reaches as far as the place called Point Riche."

The French pretended that, in consequence of the above article, they had an exclusive right to fish on such parts of the coast of Newfoundland as are therein described, but the claim was never admitted by England; indeed, the treaty of Utrecht does not afford any grounds for such a claim. The fifth article of the treaty of Paris says: "The subjects of France shall have the liberty of fishing and drying on a part of the coasts of the island of Newfoundland, such as it is specified in the thirteenth article of the treaty of Utrecht." The words "indefinite and exclusive right" make no part of either of the above treaties, yet they are inserted in the tenth article of our treaty of commerce; and that it may seem as though no innovation was intended, that right is claimed as having been "designed" in the treaty of Utrecht; and the whole is to be (not such as it is *specified*, but) conformable to the "true sense" of the treaties of Utrecht and Paris. Perhaps my apprehensions on this subject may be groundless; and should that not be the case, perhaps they may be useless. I am induced to mention this last observation by the conversation I had with you about the fishery at Mr. Bertin's, at Passy, in which we differed totally respecting the importance of it to America in general, and particularly to the State of Massachusetts Bay. You were of opinion that the fishery was not only an object

of no consequence, but that it was, and always would be, a prejudice to New England. If this should really be the case, some consolation may be derived from it when the probability of being excluded from part of it is considered. Since the advantages of commerce have been well understood, the fisheries have been looked upon by the naval powers of Europe as an object of the greatest importance. The French have been increasing their fishery ever since the treaty of Utrecht, which has enabled them to rival Great Britain at sea. The fisheries of Holland were not only the first rise of the republic, but have been the constant support of all her commerce and navigation. This branch of trade is of such concern to the Dutch, that, in their public prayers, they are said to request the Supreme Being "that it would please Him to bless the government, the lords, the states, and also their fisheries."

The fishery of Newfoundland appears to me to be a mine of infinitely greater value than Mexico and Peru. It enriches the proprietors, is worked at less expense, and is the source of naval strength and protection. I have, therefore, thought it my duty to give my sentiments on this subject to my friend Mr. Laurens. If my reasons appear to him to have any weight, it is probable they may be communicated to the delegates of those States who will be more immediately affected. If not, they will be suppressed, as they ought to be, and neither they nor anybody else will be troubled with them.

I am, dear sir, with great regard, your friend and humble servant,

R. IZARD.

Adams to Izard.*

PASSY, September 25, 1778.

SIR: I have received with much pleasure your favor of yesterday's date. No apology was necessary for the delay of so few days to answer a letter the contents of which did not, from any public consideration, require haste. My most fervent wishes mingle themselves with yours that the happy time may soon arrive when we may enjoy the blessings of peace, uninterrupted by disputes with any power whatever. But alas! my apprehensions are very strong that we are yet at a distance from so great a felicity.

You will readily acknowledge the impropriety of my entering into the question concerning the duty of the commissioners here to have made the communications of the treaty which you mention. But of this you may be assured, that I shall at all times hold myself obliged to you for the communication of your sentiments upon any public affair. I am therefore sorry that in your letter you have confined yourself to that part of the treaty upon which I particularly requested your sentiments. And I now take the liberty to request your sentiments upon

* 2 Sparks' Dip. Rev. Corr. 559; 7 John Adams' Works, 46.

every part of the treaty which you conceive liable to doubtful construction or capable of producing discontent or dispute, for I have the honor to be fully of your opinion, that it is of very great importance to be upon our guard, and avoid every cause of controversy with France as much as possible. She is, and will be, in spite of the obstacles of language, of customs, religion, and government, our natural ally against Great Britain as long as she shall continue our enemy, and that will be at least as long as she shall hold a foot of ground in America, however she may disguise it, and whatever peace or truce she may make.

Your sentiments of the fishery, as a source of wealth, of commerce, and naval power are perfectly just, and therefore this object will and ought to be attended to with precision and cherished with care. Nevertheless, agriculture is the most essential interest of America, and even of the Massachusetts Bay; and it is very possible to injure both by diverting too much of the thoughts and labor of the people from the cultivation of the earth to adventures upon the sea. And this, in the opinion of some persons, has been the fault in the Massachusetts Bay. Experience has taught us in the course of this war that the fishery was not so essential to our welfare as it was once thought. Necessity has taught us to dig in the ground instead of fishing in the sea for our bread, and we have found that the resource did not fail us.

The fishery was a source of luxury and vanity that did us much injury; yet this was the fault of the management, not of the fishery. One part of our fish went to the West India Islands for rum and molasses to be distilled into rum, which injured our health and our morals; the other part went to Spain and Portugal for gold and silver, almost the whole of which went to London, sometimes for valuable articles of clothing, but too often for lace and ribbons. If, therefore, the cessation of the fishery for twenty years to come was to introduce the culture of flax and wool, which certainly it would do as far as would be necessary for the purposes of decency and comfort, if a loss of wealth should be the consequence of it, the acquisition of morals and of wisdom would perhaps make us gainers in the end.

These are vain speculations I know. The taste for rum and ribbons will continue, and there are no means for the New England people to obtain them so convenient as the fishery, and therefore the first opportunity will be eagerly embraced to revive it. As a nursery of seamen and a source of naval power it has been and is an object of serious importance, and perhaps indispensably necessary to the accomplishment and the preservation of our independence. I shall, therefore, always think it my duty to defend and secure our rights to it with all industry and zeal, and shall ever be obliged to you for your advice and co-operation.

Pardon the length of this letter, and believe me, with much esteem,
your friend and servant,

JOHN ADAMS.

Franklin, Lee and Adams to W. Lee.*

PASSY, *September 26, 1778.*

SIR: We have considered with some attention the papers which you have laid before us, containing a project of a treaty to be made between the republic of the United Provinces and that of the United States of America.

As Congress have intrusted to us the authority of treating with all the states of Europe, excepting such as have a particular commission designed by Congress to treat with them, and as no particular commissioner has been appointed to treat with their high mightinesses, we have already taken such measures as appeared to us suitable to accomplish so desirable a purpose as a friendship between nations so circumstanced as to have it in their power to be extremely beneficial to each other in promoting their mutual prosperity. And we propose to continue our endeavors in every way consistent with the honor and interest of both.

But we do not think it prudent, for many reasons, to express at present any decided opinion concerning the project of a treaty which you have done us the honor to communicate to us.

We can not, however, conclude without expressing our real disposition to treat upon an object which, besides laying the foundation of an extensive commerce between the two countries, would have a very forcible tendency to stop the effusion of human blood, and prevent the further progress of the flames of war.

We have the honor to be, with the utmost respect, sir, your most obedient, humble servants,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin, Lee and Adams to Izard.†

PASSY, *September 26, 1778.*

SIR: Last evening we had the honor of an answer from the Count de Vergennes to our letter respecting your goods. We enclose a copy of it to you, and believe it will be advisable for you to wait on M. de Sartine. Perhaps he may at first recollect the article of the treaty, as M. de Vergennes appears not to have done.

We have the honor to be, with great respect, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

* 1 Sparks' Dip. Rev. Corr., 334; 7 J. Adams' Works, 49.

† 1 Sparks' Dip. Rev. Corr., 335.

Franklin, Lee, and Adams to Vergennes.*

PASSY, *September 26, 1778.*

SIR : We had last evening the honor of your excellency's letter of the 24th of this month, in answer to ours of the 28th ultimo, relative to the liberty for Americans to pass through this kingdom with their effects in their way home duty free, enclosing a copy of a letter from M. Necker to your excellency upon the same subject. We shall take the liberty to pursue the rules prescribed by M. Necker as there may be occasion.

At the same time we had the honor of your excellency's letter of the 25th relative to Mr. Izard's goods.

The question your excellency mentions, we apprehend can not arise in this case, whether an enemy's ship makes merchandise the enemy's, because by the sixteenth article of the treaty of commerce your excellency will recollect "that an exception is made of such goods and merchandise as were put on board such ships before the declaration of war or after such declaration, if it were done without the knowledge of such declaration ; ignorance of the declaration of war not to be pleaded after two months."

Mr. Izard's goods were shipped before any declaration of war, or at least two months had not passed away after the first appearance of war and before they were shipped.

We have referred Mr. Izard to his excellency M. de Sartine, and shall have the honor to apply to him ourselves, according to your excellency's advicee, as early as possible.

We have the honor to be, with the most perfect consideration, etc.,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Franklin, Lee, and Adams to Sartine.*

PASSY, *September 26, 1778.*

SIR : The honorable Ralph Izard, minister from the United States, to the Grand Duke of Tuscany, having ordered his baggage to Italy from London, has had the luck to have it taken in an English vessel and carried into Marseilles. We have written to the Count deVergennes on the subject, who referred us to your excellency.

We apprehend that by the sixteenth article of the treaty of commerce Mr. Izard has a clear right to a restitution of his goods. But perhaps it will be necessary for your excellency to transmit to Marseilles a copy of the treaty, or some order relative to this property of Mr. Izard, which we have the honor to request.

We have the honor to be, etc.,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Franklin to Adams.*

PASSY, Saturday, September 26, 1778.

DEAR SIR: I very much approve your plan with regard to our future accounts, and wish it to be followed.

The accounts that have been shown you are only those of the person we had intrusted with the receiving and paying our money, and intended merely to show how he was discharged of it. We are to separate from that account the articles for which Congress should be charged and those for which we should give credit.

It has always been my intention to pay for the education of my children, their clothes, etc., as well as for books and other things for my private use; and whatever I spend in this way I shall give Congress credit for, to be deducted out of the allowance they have promised us. But as the article of clothes for ourselves here is necessarily much higher than if we were not in public service, I submit it to your consideration whether that article ought not to be reckoned among expenses for the public. I know I had clothes enough at home to have lasted me my lifetime in a country where I was under small necessity of following new fashions.

I shall be out of town till Monday. When I return we will, if you please, talk further of these matters, and put the accounts in the order they are hereafter to be kept.

With great esteem, I am your most obedient, humble servant,
B. FRANKLIN.

I enclose a letter just received from Mr. Ross. Some answer should be sent him; I have not had time. Enclosed are his late letters. If any good news arrive, my servant may be sent express to me with it.

Vergennes to the Commissioners at Paris.^t

[Translation.]

VERSAILLES, September 27, 1778.

GENTLEMEN: In your letter of the 28th ultimo you remind me of the promise of the king, by the eighth article of the treaty of amity and commerce, signed the 6th of February last, to use his exertions with the Barbary powers to provide for the security of the commerce and navigation of the citizens of the United States in the Mediterranean. I have communicated your request to M. de Sartine, to whose department it belongs, and you will see by the reply of that minister, of which I send you a copy, that he considers it reasonable, but re-

* 7 J. Adams' Works, 48.

^t 1 Sparks' Dip. Rev. Corr., 337; or more accurate translation in MSS. vol. 105, p. 143, Letters of Joint Commissioners.

quires further explanations before he can receive the orders of the king on this matter. I beg you, gentlemen, to have the goodness to communicate them to me, and to be assured that the king will cheerfully do all in his power to satisfy the wishes of the United States, and promote their views with the different Barbary powers.

I have the honor to be, gentlemen, etc.,

DE VERGENNES.

Franklin, Lee, and Adams to Sartine.*

PASSY, September 27, 1778.

SIR: We have received the letter which your excellency did us the honor to write to us on the 21st instant relative to the *Isabella*, retaken from a Guernsey privateer, by Captain M'Neil, in the *General Mifflin*.

It is extremely probable that Count d'Estaing has retaken several American vessels from the English. We shall, no doubt, soon have intelligence what has been done in those cases.

We have advised Captain M'Neil to leave one-third of the produce of the *Isabella* in the hands of such public officer as your excellency shall point out, to be repaid to him, or restored to the original proprietor of the *Isabella* hereafter, according to the rule which shall be adopted by the two nations; and to this Captain M'Neil has agreed. Captain M'Neil will have the honor to deliver this letter to your excellency, and is ready to give your excellency any assurance you may require of him, and to take the charge of your dispatches respecting this affair, if your excellency is disposed to do him the honor to trust them to his care.

We have the honor to be, etc.,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Franklin, Lee, and Adams to Dumas.†

PASSY, September 27, 1778.

SIR: We received yours, in which you hint that it is wished by some of our friends that the commissioners would propose a treaty to your government. It would really be a great pleasure to them to be instrumental in cementing a union between the two republics of Holland and the United States by a treaty of amity and commerce similar to that lately concluded with France, or varying where circumstances might

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 337, with verbal changes.

† 1 Sparks' Dip. Rev. Corr., 338.

require it. But having received no answer from the grand pensionary to a letter they respectfully wrote to his excellency some months since, expressing their disposition to such a good work they apprehend that any further motion of that kind, on their part, would not, at present, be agreeable; though they still hold themselves ready to enter upon such a treaty when it shall seem good to their high mightinesses.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

R. H. Lee and Lovell, for Committee on Foreign Affairs, to Bingham.*

PHILADELPHIA, September 28, 1778.

SIR: Your several favors up to the 28th of July came duly to our hands, and having been communicated to Congress, were received as agreeable proofs of your regular correspondence. The papers which you enclose are with the marine committee, who will doubtless take occasion soon to report upon the contents. This will be conveyed to you in a small schooner, which perhaps is not fit for a winter's return to this coast. You will determine, in conjunction with the captain, whether to send her back immediately, or to make the best use of her for the public in your neighborhood till a proper month for her return. She is confided thus to your discretion.

No absolute judgment can at this instant be formed of the intended movements of the enemy. A course of Dunlap's papers will convey to you a general insight into the posture of our military affairs. It is not probable that any considerable decision in the field will take place this fall, and the councils in Britain appear to be for relinquishing the mad project of subjugating us by arms.

It was to give conveyance to the letters of the French minister that the bearer was at this season dispatched to Martinique; so that you will get further information of our affairs through the general, with whose confidence you are so much honored. You will herewith receive the second volume of the journals of Congress, but lately published. And as it was uncertain whether you had ever received the first, that also is sent; the index at least will be new to you and serviceable.

We are, sir, etc.,

R. H. LEE.
JAMES LOVELL.

* MSS. Dep. of State 1 Sparks' Dip. Rev. Corr., 339.

A. Lee to Vergennes.*

CHAILLOT, September 28, 1778.

SIR : I had the honor of your excellency's letter of the 23d.† I should not trouble you with an answer, did it not appear to me necessary to show that the blame it imputes to me is by no means merited. For that purpose your excellency will permit me to remind you of what is the fact, that I was not present when the conversation relative to M. Holker, to which your excellency refers, passed between you and my colleagues. I imagine, too, it arose accidentally, as the intention of conversing on that subject was not communicated to me.

With regard to the duties, my knowledge of them arose from a transaction of my own as commissioner for Spain, in which my colleagues had no concern. I have always been so sensible of the impropriety of one commissioner acting, or being acted with, for the whole, in what regards their deputation here, as scrupulously to avoid setting the example. Therefore I entirely agree with your excellency that such a precedent should never be permitted.

It was not my intention to make any complaint about the duties, which were probably imposed for wise purposes, but to offer my opinion to your excellency of what I conceive might be beneficial to that union, which my connection and myself have always been most zealous in advising, and for the permanency of which it is therefore natural that I should be particularly anxious.

I have the honor to be, etc.,

ARTHUR LEE.

Izard to Adams.†

PARIS, September 28, 1778.

SIR : I am favored with your letter of 25th, and agree with you in opinion that there is no necessity of discussing the question respecting the commissioners now. Inconveniences might rise from it, and no valuable purpose be answered that I know of. I agree with you, likewise, if the fishery of New England has proved injurious by introducing luxury and vanity, it must be the fault of the people rather than of the fishery. If the quantity of money which is acquired by the fishery affords an argument for the discontinuance of it, I am afraid it may be applied with equal propriety against every other industrious means of introducing wealth into the State. The passion for ribbons and lace may easily be checked by a few wholesome sumptuary laws; and the money that has hitherto been employed on those articles will be found very useful toward sinking our enormous national debt. This debt, I fear, will not be sunk during my life. Till that is done, I do not think that any danger to our morals is to be apprehended from our excessive riches.

* 1 Sparks' Dip. Rev. Corr., 517.

† Not given above.

† 7 J. Adams' Works, 50.

I should be obliged to you if you would let me know whether you think the reasons which were given in my last letter respecting the treaties are well founded. I am very willing to communicate my sentiments to you on the other articles, but submit it to you whether it would not be better that this should be done verbally rather than by letter.

I have the honor to be, with much esteem, your friend and humble servant,

R. IZARD.

Gardoqui to A. Lee.*

MADRID, September 28, 1778.

SIR: A severe illness, which almost reduced me to the last, has prevented my giving you punctual answers to your favors down to the 1st instant; but embracing the first moments of my recovery, I have to say that I am afraid I did not explain my sentiments clearly in my last. The hints given you were purely mine, and as a friend, who wishes the best to both, in order that you might make use of them as you thought proper; and of course I can not say anything about your powers and treaties, being things out of my way, with which it would be improper for me to meddle. I wish most heartily that things may be accommodated happily for both parties; so I pray consider this as such, as I should be sorry that hints given you without either design or authority should be thought otherwise, or meet with results of consequence.

In this same light, and as a sincere friend, who wishes the best intelligence between your constituents and this side, I have now to add, that the capture of the Swedish ship the *Henrica Sofia*, Capt. P. Held, loaded with Spanish property, and bound from London to Teneriffe, by Captain Cunningham, of the *Revenge* privateer, has occasioned the utmost disgust on this side. I would therefore recommend to you not only the immediate release of said vessel, but likewise to give the strictest orders to said Cunningham to pay more regard to the territories of this kingdom and to the Spanish flag; for there has been such complaints about his conduct, that I hear orders have been sent to the several ports to prevent his entry; besides which, there are rumors that he is not properly an American privateer, being manned by French adventurers, who, with their commander, have acted contrary to the law of nations.

Some of my friends, with whom I tried to raise a sum for you, desire to know the length of time you want it, the interest you will allow, and whether you will pay said interest in tobacco, and at what price it will be reckoned in Bilboa, with all other particulars that may offer to

* 1 Sparks' Dip. Rev. Corr., 516.

you; so I wish you to let me know, if agreeable, that I may let them see it, observing that I judge we may raise a part, though not the two millions of livres, which you desired of me. I would also know whether you will want the money in France or Spain.

I am, with sincere esteem, your most obedient, humble servant,
JAMES GARDOQUI.

A. Lee to the Committee of Foreign Affairs.*

PARIS, September 30, 1778.

GENTLEMEN: Since I wrote you the 9th of this month no step has been taken either by our enemies or allies of moment enough to advise you of, nor has any material event happened in Europe, insomuch that times of the profoundest peace could not possibly be more barren. This arises from the general reluctance to war, which, though all are preparing for, no one seems to desire. The fate of this campaign with you will determine whether we shall have immediate offers of peace or continuance of war. If their fleets and armies maintain their ground, or gain any advantage, they will continue the war, and wait for something in the chapter of accidents, which is the sole resource of the ministers.

I have the honor to be, etc.,

ARTHUR LEE.

Franklin, Lee, and Adams to Ross.†

PASSY, September 30, 1778.

SIR: We have received your letter of the 22d of September, and take this opportunity to say, that we have no authority either to give you orders or advice any further than respects the large sum of money which the commissioners put into your hands some time ago. Of the expenditure of this money we have demanded an account, which you have refused to give us. With your private concerns we have nothing to do. If you have any power derived from the honorable committee of Congress, to that committee you must be responsible and look for instructions. We can never justify interfering in those affairs, much less could we be justified in advancing more money to a gentleman who has refused to give us an account of a large sum already intrusted to him, not to mention the circumstances of indecency with which that refusal was accompanied, and with which most of your letters since have been filled. We return you the original contract which you enclosed to us some time ago. That you may save yourself for the future the trouble of writing letters to us, we now assure you that it is our fixed

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 518.

†7 J. Adams' Works, 51.

determination to have nothing further to do with you, or any affairs under your care, until you have laid before us and settled your account of the public money you have received from the commissioners, unless we have instructions from Congress, which, with the most perfect attention, we shall ever observe.

We are, sir, your humble servants,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

P. S.—It is proper you should be informed that there appears from Mr. Williams' accounts, to have been a further advance made to you of twenty thousand livres, for which we likewise expect you will without delay account with us.

Franklin, Lee, and Adams to Vergennes.*

PASSY, October 1, 1778.

SIR: We have received the letter which your excellency did us the honor to write to us on the 27th of last month, together with a copy of a letter from the minister of the marine to your excellency of the 21st of the same month.

Convinced of the propriety of those éclaircissements which his excellency demands, we had recourse to our various instructions from Congress; and although we have power and instructions to treat of and conclude treaties with all the European powers to whom no particular minister has been sent by Congress, yet we can not find that our powers extend to conclude treaties with the Barbary States.

We are, nevertheless, instructed to endeavor to obtain passes for vessels of the United States and their subjects from those powers through the mediation and influence of his most Christian majesty, which we, therefore, request his excellency to endeavor to procure, provided he sees no danger in the attempt or material objections to it.

We have, however, the honor to agree with his excellency in opinion that an acknowledgment of the independence of the United States on the part of these powers, and a treaty of commerce between them and us, would be beneficial to both, and a negotiation to that end not unlikely to succeed; because there has been heretofore some trade between them and us, in the course of which our people and vessels were well received.

We therefore submit to his excellency's judgment either to commence a negotiation for passes for American vessels immediately, or to wait until we can write to Congress and obtain power to treat with those states and conclude treaties of commerce with them, when we shall request to commence and conclude the negotiation through the medi-

* MSS. Dep. of State; 1 Sparks' Dip. Rev., Corr. 339; 7 John Adams' Works, 52.

ation and under the auspices of his majesty. We have the honor to request his excellency's advice hereupon.

We address this to your excellency, as we have done many other things, which we suppose may be referred to other departments, because, your excellency being the minister for foreign affairs, we have understood that we have no right to apply in the first instance to any other. But if we have been misinformed and ill-advised in this, and there is no impropriety in our making immediate application to other ministers upon subjects we know to be in their departments, we request your excellency to give us an intimation of it; and for the future we will avoid giving unnecessary trouble to your excellency.

We have the honor to be, with sentiments of most entire respect,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Adams to the President of Congress.*

PASSY, October 2, 1778.

SIR: I have the honor to enclose the latest gazettes, by which Congress will perceive that we have no intelligence from America since the departure of the Count d'Estaing from Sandy Hook. Our anxiety is very great, but we hope that a few hours will relieve it. In the midst of a war in Germany and between France and England there was scarcely ever a greater dearth of news in a profound peace.

Captain McNeil, the bearer of this, makes the most conversation, having taken and destroyed, I think, thirteen vessels in the course of his last cruise, six of which have safely arrived in France; the others, not destroyed, he sent to America. His cruise will prove a great disappointment to the enemy, having deprived them of a great quantity of naval stores upon which they depended.

I have the honor to be, with the greatest respect, etc.,

JOHN ADAMS.

Adams to Izard.†

PASSY, October 2, 1778.

SIR: I have the pleasure of yours of the 28th, and agree with you in sentiment, that if the money which has heretofore been squandered upon articles of luxury could for the future be applied to discharge our national debt, it would be a great felicity. But is it certain that it will? Will not the national debt itself be the means, at least a temptation, to continue, if not increase, the luxury? It is with great pleasure

* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 563.

† 2 Sparks' Dip. Rev. Corr., 561; 7 John Adams' Works, 53.

that I see you mention sumptuary laws. But is there room to hope that our legislatures will pass such laws, or that the people have or can be persuaded to acquire those qualities that are necessary to execute such laws? I wish your answer may be in the affirmative, and that it may be found true in fact and experience. But much prudence and delicacy will be necessary, I think, to bring all our countrymen to this just way of thinking upon this head. There is such a charm to the human heart in elegance, it is so flattering to our self-love to be distinguished from the world in general by extraordinary degrees of splendor in dress, in furniture, equipage, buildings, etc., and our countrymen, by their connection with Europe, are so much infected with the habit of this taste and these passions, that I fear it will be a work of time and difficulty, if not quite impracticable, to introduce an alteration; to which the late condition of our trade and currency, besides the great inequality of fortune and the late enterprises introduced by privateers, are dangerous enemies.

You ask my opinion whether the reasons in your last letter are well founded? It is observable that the French court were not content with the treaty proposed by Congress, which contained all, in my opinion, which is contained in the article as it now stands in the treaty of the 6th of February. What motive they had for inserting the words "indefinite and exclusive" is left to conjecture.* The suspicion that they meant more than the treaty proposed by Congress expressed arises from a fact, which you remember, viz, that the French at the time of the last peace claimed more. I wish to know if there is any letter or memorial extant in which such a claim is contained, or whether it was only a verbal claim made by their ambassadors. Whether any of the magazines of that time mention and discuss any such claim. If the fact is incontestable that they made such a claim, it is possible that it may be revived under the words "indefinite and exclusive." But I hope it will not, and I hope it was not intended when these words were inserted. Yet I confess I cannot think of any other reason for inserting them. The word "indefinite" is not amiss, for it is a right of catching fish and drying them on land, which is a right indefinite enough. But the word "exclusive" is more mysterious. It can not mean that Americans and all other nations shall be "excluded" from the same right of fishing and drying on land, between the same limits of Bonavista and Riche. It would be much easier to suppose that the following words, "in that part only, and no other besides that," gave rise to the word "exclusive;" that is, that right of fishing and drying within those limits, for which we have excluded ourselves from all others. I will undertake to show better reasons, or at least as good, for this sense of the word "exclusive," as the most subtle inter-

* This alludes to a clause in the tenth article of the treaty of amity and commerce between France and the United States.—SPARKS.

preter of treaties can offer for the other, although I think them both untenable.

My opinion further is this, that as contemporaneous exposition is allowed by all writers on the law of nations to be the best interpreter of treaties, as well as of all other writings, and as neither the treaty of Utrecht nor the treaty of Paris in 1763 ever received such an interpretation as you are apprehensive may hereafter be contended for, and as the uninterrupted practise has been against such a construction, so I think that the treaty of Paris of the 6th of February, 1778, is not justly liable to such a construction, and that it can not be attempted with any prospect of success. I agree with you, however, that as we are young States, and not practised in the art of negotiation, it becomes us to look into all these things with as much caution and exactness as possible, and furnish ourselves with the best historical light, and every other honest means of securing our rights. For which reason I requested your sentiments upon this subject in writing, and continue to desire in the same way your observations on other parts of the treaty. Reduced to writing, such things remain in letters and letter books, as well as more distinctly in the memory, and the same men or other men may recur to them at future opportunities, whereas transient conversations, especially among men who have many things to do and to think of, slip away and are forgotten. I shall make use of all the prudence I can that these letters may not come to the knowledge of improper persons, or be used to the disadvantage of our country, or to you or me in our present capacity.

I am, etc.,

JOHN ADAMS.

Franklin, Lee, and Adams to Sartine.*

PASSY, October 2, 1778.

SIR: We have the honor of your excellency's letter of yesterday's date, requiring us to give to the Sieur Fagan all the security in our power for these vessels to transport the merchandise of France to England.

We have the honor to acquaint your excellency that we have accordingly given the Sieur Fagan three different requests, in writing, to all commanders of American armed vessels to let the said vessels and cargoes pass without molestation, which was all the security that the laws of our country have empowered us to give.

We have the honor to be, with most entire consideration, your excellency's most obedient servants,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

*1 Sparks' Dip. Rev. Corr., 341.

Congress—Invitation to Dr. Price.*

OCTOBER 6, 1778.

A motion was made that the Hon. Benjamin Franklin, Arthur Lee, and John Adams, esq., or any of them, be ordered forthwith to apply to Dr. Price, and inform him that it is the desire of Congress to consider him as a citizen of the United States, and to receive his assistance in regulating their finances; that if he shall think it expedient to remove with his family to America and afford such assistance, a generous provision shall be made for requiting his services.

On the question, the yeas and nays being required by Mr. Laurens:

New Hampshire	Mr. Bartlett	Aye.	Aye.
	{ Mr. S. Adams	Aye.	
Massachusetts Bay	{ Mr. Gerry	Aye.	
	{ Mr. Lovell	No.	
	{ Mr. Holten	No.	
Rhode Island	Mr. Marchant	Aye.	Aye.
Connecticut	Mr. Sherman	No.	No.
New York	Mr. Lewis	No.	No.
New Jersey	Mr. Elmer	Aye.	Aye.
Pennsylvania	{ Mr. Roberdeau	Aye.	
	{ Mr. Clingan	Aye.	Aye.
Maryland	{ Mr. Chase	Aye.	
	{ Mr. Stone	Aye.	
	{ Mr. Henry	No.	Aye.
Virginia	{ Mr. Harvie	Aye.	
	{ Mr. R. H. Lee	Aye.	
	{ Mr. Smith	Aye.	Aye.
	{ Mr. Griffin	Aye.	
North Carolina	{ Mr. Harnett	Aye.	
	{ Mr. Williams	No.	
South Carolina	{ Mr. Laurens	No.	
	{ Mr. Matthews	Aye.	
Georgia	{ Mr. Walton	No.	
	{ Mr. Telfair	Aye.	No.
	{ Mr. Langworthy	No.	

So it was resolved in the affirmative.

A. Lee to Adams.†

CHILLOT, October 6, 1778.

DEAR SIR: You have often complained that taking care of the public papers, and having the business of the commission done in your rooms was an unequal share of the public burden apportioned to you.

Whatever may be my sentiments on that point, yet to remove, as far as I can, with propriety, all cause of discontent, I am willing to appropriate a room in my house for the meeting and deliberations of the commissioners and the custody of the public papers, provided regular hours are appointed for those meetings and that business. I will answer for

*MSS., Dep. of State; printed secret journals of Congress, the latter being imperfect.

†7 J. Adams' Works, 56.

the regular arrangement and preservation of the public papers, and that the business of the public shall always be dispatched before that of individuals.

Should this arrangement be agreeable to you, and Dr. Franklin concurs, the execution of it will meet with no moment's delay from me.

I have the honor to be, with the greatest esteem, etc.,

ARTHUR LEE.

A. Lee to Gardoqui.*

PARIS, October 6, 1778.

SIR: I have not had the pleasure of any answer from you to mine of the 22d of August. I am afraid that the total silence of your friends about taking an open part with us, when all the impediments, which you know were stated, are removed, will make bad impressions on the minds of my countrymen, and transfer all their gratitude to those who have declared in their favor. And this more especially, as one of the English commissioners, Governor Johnstone, had pledged his honor publicly to prove that Spain disapproved of, and endeavored to prevent, the declaration of France in our favor.

If to stop the effusion of human blood, and all the shocking calamities attending a war like this, be worthy of a pious prince; if to prevent the chances of war from having any influence in preventing the dismemberment of the British Empire, and the humiliation of their pride, be an object worthy of a political prince; if to drive the English immediately from America, and receive a portion of her independent commerce, be an advantage to the crown and people of Spain, this is the moment for its monarch to decide and enforce those events by an immediate declaration of our independency and a union of force which must be irresistible.

The last certain accounts from America announce preparations for an assault upon Rhode Island on the 16th of August. It was already invested both by sea and land, and the enemy had been obliged to burn several of their vessels, and among the rest one of twenty-six guns.

The report is that the island is taken, for a confirmation of which we wait with much anxiety. The loss of it would deprive the enemy of their port for wintering their navy, and oblige them to abandon New York.

I hope to receive good tidings from you soon, and have the honor to be, with great esteem, sir, your most obedient servant.

ARTHUR LEE.

* 1 Sparks' Dip. Rev. Corr., 518.

Deane to the President of Congress.*

PHILADELPHIA, October 7, 1778.

SIR: In consequence of my letter of the 24th ultimo, I had the honor of receiving the order of Congress of the 26th, directing me to attend on the 29th, at 3 o'clock in the afternoon, that day being assigned for my being heard. I was at the same time favored with extracts from Mr. Izard's letters.† On the 29th I was served with an order of Congress which postponed my being heard to some future time. On the 3d instant an extract of a letter from the Hon. Arthur Lee, dated Paris, June 1, 1778, was given me by order of Congress. I have for some time past waited with the greatest impatience for an opportunity of being heard before that honorable body, confident that my peculiar situation will excuse my impatience. I must, without repeating what I have already had the honor of writing to you, once more urge for as early an audience as the important business before Congress will admit of.

I have the honor to be, etc.,

SILAS DEANE.

Sartine to the Commissioners at Paris.‡

[Translation.]

VERSAILLES, October 7, 1778.

GENTLEMEN: I have had the honor to receive your letter of the 26th ultimo, in which you support the pretensions of Mr. Izard, minister of the United States for Tuscany, who claims the effects captured in the English ship the *Nile* by the *Cesar*, privateer, from Marseilles. You have made a mistake in citing the sixteenth article of the treaty between his majesty and the United States; the fourteenth article relates particularly to the subject. It contains, however, only the usual provisions of commercial treaties, founded on the law of nations, and I can not see that it applies rigorously to the present case. Mr. Izard is not named in the account of the goods of which he demands the restoration. There are no papers which prove that those articles, shipped by an Englishman, addressed to Senior Martinelli for the Abbe Niccoli, are not on account of English subjects. If the Government had the decision of the question, without the interference of the court, certainly, gentlemen, your assertion and that of Mr. Izard would be of very great weight. But his majesty has granted to the captors the whole of the property captured; the board of prizes has adjudged the ship *Nile* a lawful capture by their decree of the 20th ultimo.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 95.

† See Mr. Izard's letters to the President of Congress, Feb. 16, and Apr. 1, 1778.

‡ 1 Sparks' Dip. Rev. Corr., 341.

Placed between the prize court, the captors, and the claimant, the government can not undertake to decide on this subject; it could pursue that course only in case the laws were not applicable to the point in question; but here the laws are known; they decide on claims for goods shipped before the commencement of hostilities; and in having recourse to the tribunals, Mr. Izard may expect from them all the justice and favor which the citizens of the United States will always experience in France.

I have the honor, etc.,

DE SARTINE.

The Ambassador of Naples to the Commissioners at Paris.*

[Translation.]

PARIS, October 8, 1778.

GENTLEMEN: I am persuaded that you already know that the King of the Two Sicilies, my master, has ordered the ports of all his dominions to be kept open to the flag of the United States of America, for which reason, to avoid every possible mistake at this time, when the seas are covered with the privateers of different nations, and likewise with pirates, I request you to inform me of the colors of the flag of the United States of America, and likewise of the form of the clearances, the better to know the legality of the papers which it is customary to present in ports to gain free admission.

I have the honor to be, etc.,

THE AMBASSADOR OF NAPLES.

Franklin and Adams to the Ambassador of Naples.†

PASSY, October 9, 1778.

SIR: We are this moment honored with your excellency's letter of the 8th of this month, and we thank your excellency for the information that his majesty the King of the Two Sicilies has ordered the ports of his dominions to be open to the flag of the United States of America. We should be glad to have a copy of his majesty's edict for that purpose, in order to communicate it to Congress, who, we are confident, will be much pleased with this mark of his majesty's benevolence.

It is with pleasure that we acquaint your excellency that the flag of the United States of America consists of thirteen stripes, alternately red, white, and blue; a small square in the upper angle, next the flag-staff, is a blue field, with thirteen white stars, denoting a new constellation.

* 1 Sparks' Dip. Rev. Corr., 342.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 342.

Some of the States have vessels of war distinct from those of the United States. For example, the vessels of war of the State of Massachusetts Bay have sometimes a pine tree; and those of South Carolina a rattlesnake, in the middle of the thirteen stripes. Merchant ships have often only thirteen stripes, but the flag of the United States, ordained by Congress, is the thirteen stripes and thirteen stars above described.

The commissions of ships of war belonging to the United States, as well as those of privateers, are all signed by the President of Congress and countersigned by the secretary. Each State may have a different method of clearing vessels outward bound and a different form in the papers given, therefore we are not able to give your excellency certain information respecting all of them. The Massachusetts Bay has only a naval officer in each port, who subscribes a register, a clearance, and a pass for the castle in Boston harbor.

We have the honor to be, etc.,

B. FRANKLIN.
JOHN ADAMS.

Adams to Lee.*

PASSY, October 10, 1778.

DEAR SIR : I have sometimes complained that, having no place appointed for the public papers, or any person to keep them in order, was an inconvenience and interruption to the public business. I have added that, to have the papers in my chamber as they are, in disorder, and several persons going to them at pleasure, taking out some papers and removing others, was unequal upon me, as making me in a sort responsible for the order which I could not preserve, and for papers themselves which I could not secure. Besides that, it occasioned continual applications to me alone, and necessitated me to spend a great part of my time in writing orders, notes of hand, copies of letters, passports, and twenty other things, which ought at all times be written by our clerks, at least as long as it is thought necessary to put the public to the expense of keeping so many.

I have not asked Dr. Franklin's opinion concerning your proposal of a room in your house for the papers and an hour to meet there, because I know it would be in vain ; for I think it would appear to him, as it does to me, more unequal still. It can not be expected that two should go to one, when it is as easy again for one to go to two ; not to mention Dr. Franklin's age, his rank in the commission, or his character in the world, nor that nine-tenths of the public letters are constantly brought to this house, and will ever be carried where Dr. Franklin is. I will venture to make a proposition in my turn, in which I am very sincere ; it is that you would join families with us. There is room enough in

this house to accommodate us all. You shall take the apartments which belong to me at present, and I will content myself with the library room and the next to it. Appoint a room for business, any that you please, mine or another, a person to keep those papers, and certain hours to do business.

This arrangement would save a large sum of money to the public, and as it would give us a thousand opportunities of conversing together, which we now have not, and, by having but one place for our countrymen and others who have occasion to visit us to go to, would greatly facilitate the public business; it would remove the reproach we lie under, of which I confess myself very much ashamed, of not being able to agree together, and will render the commission more respectable, if not in itself, yet in the eyes of the English nation, the French nation, and, above all, the American nation; and I am sure, if we judge by the letters we receive, it wants to be made more respectable, at least in the eyes of many persons of the latter. If it is any objection to this that we live here at no rent, I will agree with you in insisting on having the rent fixed or leave the house.

As I suppose, the proposal I made of appointing Mr. W. T. Franklin to take care of the papers occasioned your letter of the 6th instant. I can not conclude this answer to it without repeating that proposal.

This appointment can be but temporary, as a secretary will probably arrive from Congress ere long. But in the mean time Mr. Franklin, who keeps papers in good order and writes very well, may be of more service to us than he is at present. We shall then have a right to call upon him to do business, and we shall know what situation he is in and what reward he is to have. I agree perfectly with you that an hour should be fixed for business, and I beg leave to propose 9 o'clock in the morning, to which hour, and from thence to any other hour in the day you please, I will endeavor to be punctual. If you have any objection to this hour you will be so good as to name another.

I am, dear sir, with an earnest desire and a settled determination to cultivate a harmony—nay more, a friendship with both my colleagues, as far as I can consistent with the public service—and with great respect and esteem.

Your friend and colleague,

JOHN ADAMS.

Deane to the President of Congress.

PHILADELPHIA, October 12, 1778.

SIR: I received your letter of the 7th instant, in which you informed me that mine of the same date to you was by Congress ordered to lie on the table until the examination of Mr. Carmichael should be finished.

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 95, with verbal changes.

Though totally unable even to conjecture what relation the examination of that gentleman can possibly have to those abusive and injurious letters wrote by Mr. Izard and Mr. Lee, yet, as I had so often troubled Congress during a three months' attendance with my repeated solicitations to be heard, I forbore repeating them until neither my health, my interest, nor my honor will permit me much longer to stay in America. I have, therefore, taken the liberty of enclosing my answers to the letters of those gentlemen. It pains me to be obliged to answer at all; and it grieves me exceedingly to be deprived of the opportunity of doing it in person. I still hope to be indulged before I leave America. I have only further to inform Congress that I shall go into the country tomorrow for a few days; that, having engaged a passage in a ship, which will sail for France some time next month, I propose to leave Philadelphia in a few days after I return from the country in order to embark; and shall esteem myself honored by Congress, if they have anything further in which I may be of service to my country, if they will favor me with their commands.

I have the honor to remain, etc.,

SILAS DEANE.

Deane to the President of Congress.*

PHILADELPHIA, October 12, 1778.

SIR: In the extracts from the letters of the honorable Mr. Izard I find charges which respect me, supported by his opinions and by what he declares to have heard from the honorable Arthur Lee, who, by his own account, is my irreconcilable enemy. I find also charges against the honorable Dr. Franklin and myself jointly, supported on the same grounds, with this difference, that almost every complaint against us lies equally against Mr. Lee; and it is worthy of remark, that where the charge lies equally against us all, Mr. Izard leaves Mr. Lee wholly out, and fixing it solely on Dr. Franklin and myself, proceeds to represent the doctor as entirely under my influence. My situation has, through the whole, been peculiarly unfortunate, and in nothing more so than in this, that Mr. Izard's letters, wrote as much with the design of impeaching Dr. Franklin's conduct as mine, now operates solely against me.

Mr. Izard says in his letter of the 1st of April: "*That if the whole world had been searched* it would have been impossible to have found a person more unfit than I was for the trust with which Congress had honored me." It does not become me, and possibly not even Mr. Izard himself, to determine on my competency to that trust. I have only to observe that both of us were appointed by the authority of Congress, with this only difference, that I had the honor of being per-

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 96, with verbal changes.

sonally known to the members who composed that body, and I can add with pleasure that I always paid respect to Mr. Izard from the choice they had made of him, which I doubt not was on good information. I shall feel no uneasiness on my own account that Mr. Izard's opinions of me remain on the journals of Congress, whilst on the same records there will be found that of his most Christian Majesty, of his minister and secretary of state, and of my venerable colleague, revered through Europe as the first of patriots as well as philosophers which this age has produced. I find but two charges which respect me personally. The first is the exercising such a degree of hauteur and presumption as to give offense to every gentleman with whom I transacted business. I transacted none with Mr. Izard, and therefore must appeal from his opinion to the business I transacted, and the worthy and honorable persons with whom I transacted it, and who, from the first of my acquaintance with them to my leaving the kingdom, honored me with their friendship and their confidence. I desire it may be remembered that when I went abroad, charged with the transaction of political and commercial business for Congress in the year 1776, that I arrived at Paris as late in the season as the month of July, without funds, uncertain of remittances, without credit, ignorant of the language and manuers of France, and an utter stranger to the persons in power and influence at court; that I had not the patronage of any person of importance, and had no correspondence or connections established in any part of Europe. The news of our misfortunes in Canada arrived in France with me, and that of our subsequent misfortunes immediately after, and was, as usual, exaggerated by the British ambassador and his emissaries. In a word, without remittances or even intelligence from Congress, and under all these disagreeable circumstances I had to oppose the artifice, the influence, and the power of Great Britain; yet I have the pleasing reflection that before the first of December following I procured thirty thousand stand of arms, thirty thousand suits of clothes, more than two hundred and fifty pieces of brass artillery, tents, and other stores to a large amount, provided the ships to transport them, and shipped a great part of them for America. Many of these supplies fortunately arrived at the commencement of the last year's operations, and enabled my brave countrymen in some parts of America to make a good stand against the enemy, and in the north to acquire immortal renown by the defeat and surrender of General Burgoyne and his whole army, an event peculiarly fortunate in its consequences, as it accelerated the completion of that alliance to which the honorable Congress, with every true friend to the United States, have given their approbation. That during this short period I had established a very extensive correspondence for the service of my country, not only in France, but in Holland, at the court of Russia, and elsewhere in Europe; and that though the grant of money by the court of Versailles was not at this time actually made, I had entered upon the

negotiation and laid the foundation for obtaining it. These facts, without mentioning others of no less importance, will show what business I transacted; and the character given me by those great personages with whom I was in my public character connected, will evince the degree of reputation in which I stood. It is my misfortune that Mr. Izard was of a different opinion.

The second charge is, that Mr. Arthur Lee had assured him that his dispatches to Congress, and even one of his private letters had been opened by me. I am surprised Mr. Arthur Lee never intimated this to me, and that he should communicate it to Mr. Izard, to be reported in this manner. I think it, however, sufficient for me to say here what I shall say elsewhere, and on all occasions, that this is a groundless calumny, which I should not have expected even from an enemy, at least not from a candid or generous one.

Mr. Izard complains that Dr. Franklin and myself concealed from him, or attempted to conceal, the opportunities of writing to America, as well as the intelligence received from thence. In reply to this it need only be observed that no packets or letters were sent by the commissioners to America and to Congress without the knowledge or consent of Mr. Arthur Lee, and no intelligence received to which he was not privy. That he was often with Mr. Izard, and therefore it was naturally to be supposed would give him every necessary information; if Mr. Lee did not acquaint Mr. Izard, he is at least equally culpable with us, and if he did, there is no ground for the complaint. It is true that neither Dr. Franklin nor myself considered ourselves at liberty to communicate the treaty or its contents until the consent of the court should be had; we considered ourselves in the same situation as to the appointment of Monsieur Gerard and the sailing of the Toulon fleet. Mr. Izard appears, however, to have been well informed of the former, at least, and that very early, and of the latter on the day of our leaving Paris. Mr. Arthur Lee knew of it some time before, as he wrote many letters by his excellency Monsieur Gerard. In justice, therefore, the complaint ought not to have been made solely against Dr. Franklin and Mr. Deane, and particularly against the latter.

Mr. Izard represents that there were dissensions and misunderstandings between the commissioners at Paris. It is true. He is of opinion that the interests of the public suffered by it, but in this he is mistaken, as the treaty itself and all our other public transactions will demonstrate. Mr. Izard is of opinion that France might have been brought to have taken an active part much earlier. If circumstances not in our power had taken place earlier, they possibly might; but even in that case they would have done it under great disadvantages, as is evident from the representation I made to Congress when I had the honor of being heard on the 19th of August last. As the eleventh and twelfth articles of the treaty are complained of, and as this subject immediately interests the public, I have drawn up a concise narration of the whole

of that transaction, and have communicated it to his excellency Monsieur Gerard, who agrees to the truth of every part thereof which has come to his knowledge. This I beg leave to present to Congress, as it will show that Mr. Izard had not the best information, and that neither Dr. Franklin nor myself (though "born in New England") procured the insertion of those articles; it will further show that the court of France never urged it, but, on the contrary, left us perfectly free to have them both inserted or both omitted. It will also appear that Mr. Lee himself wrote and signed the letter, desiring they might be inserted, and that he afterwards had a private conference with Monsieur Gerard on the subject and appeared perfectly satisfied. If any doubts arise on this subject, I shall be happy to refer for satisfaction on that head to Monsieur Gerard, and also for what passed between Mr. Lee and himself on the occasion, as well as for the pretended verbal promise that the article should be expunged if objected to by Congress. I have signed that narration, and shall sign these observations, in which I have avoided taking those advantages of Mr. Izard which the passionate and partial complexion of his letters has given me, were I disposed to make use of them; because I conceive it to be an abuse, if not an insult, to trouble Congress with anything merely personal, though I have provocation sufficient to justify me in the eyes of the world, and am by no means deficient in materials.

I recollect perfectly well the interview at Passy with Mr. William Lee, at which Mr. Izard was present, but I do not remember that any such letter as he describes was either desired or refused. I rather think that Mr. Izard misunderstood Dr. Franklin at the time, or that his memory has deceived him. The facts are these: The late Mr. Thomas Morris had a commission to act as commercial agent; his commission was entirely distinct from, and independent of, the commissioners; he at least construed it so himself from the beginning. We were very early informed of his irregularities and admonished him, and advertised Congress of them. As we could get no account of the disposition of the prizes brought into France, and the expense of repairing and equipping the vessels of war fell on the commissioners, Dr. Franklin and myself (Mr. A. Lee being then at Berlin) deputed Mr. Williams to take the care of the prizes into his own hands, and ordered the captains to account with him. On Mr. William Lee's arrival at Nantes he joined with Mr. Morris in writing a severe letter to the commissioners on what they had done, in which they complained that the office or department of commercial agent was broken in upon, and that we had no power over it. Dr. Franklin, at the desire of Mr. A. Lee and myself, prepared an answer, in which the reason of our orders was given, and Mr. Morris' conduct urged as our principal motive, but that as he, Mr. William Lee, was there, we would recall our commission from Mr. Williams. Mr. Arthur Lee would not agree to the form of the letter, and after much dispute upon it a second was written, when Mr. Arthur Lee observed

that his brother was coming to Paris soon to receive his commission for Vienna and Berlin, and as there were then no prizes in port or expected, the matter might rest. This was the reason why Mr. W. Lee's letters were not answered. He came to Paris soon after, and represented the confused state in which affairs were at Nantes, and urged the interposition of the commissioners to put the whole agency into his hands. The situation of Mr. William Lee at that time was precisely this : He had never received any commission, either from Congress or their committee, for the commercial agency, whilst Mr. Thomas Morris was, and had been, in the possession of a commission and in the exercise of the agency.

Congress had made Mr. William Lee their commissioner to the courts of Vienna and Berlin, each of which places is at least a thousand miles from the scenes of our commerce, without saying anything about his former appointment, from which it was natural to suppose his former appointment had been considered as superseded by the new. We had received intelligence that the information we had given of Mr. Morris' conduct had been received and read in Congress, and that Congress, notwithstanding, chose to continue him in this situation. We thought it was very extraordinary that we should be applied to to interfere where Congress, knowing the facts, had declined to interfere, and still more so that we should be requested to put (what indeed was not in our power) the commercial agency into the hands of a gentleman who must execute it by deputies, himself at a distance too great either to see or correct the abuses that might be practised. The letter referred to by Mr. Izard was a letter to this purpose, and I remember well (for I avoided bearing any considerable part in the conversation) Dr. Franklin's reply, which was to this purpose, that Congress, by disregarding the information we had given, and continuing Mr. Morris, had impliedly censured our conduct. That Mr. Morris had treated us ill personally for what we had done, and that Mr. William Lee ought to remember that he had himself, jointly with Mr. Morris, complained of our interfering, as he thought, in that department; and therefore he did not incline to subject himself to any further censures, or, as he expressed it, "raps over the knuckles," for meddling in the affair. We were, indeed, as much surprised as Mr. Izard appears to have been on the occasion, but our surprise arose from another cause ; it was to find Mr. William Lee desirous of holding such a plurality of appointments, in their own nature incompatible with each other, and impossible to have been executed by the same person. But as one of the places was supposed to be a lucrative one, the subject was too delicate to be touched on by us.

Mr. Izard says that Mr. William Lee complained that parties had been excited against him at Nantes; and that, so far from having been supported by the commissioners in the execution of his duty, these gentlemen had as much as possible contributed to perplex him in the dis-

charge of it; that he had frequently written, etc. His letters have been taken notice of already and the reason mentioned why they were not answered. The rest of this complaint is, as far as I know anything about the matter, totally groundless. It must appear so to every one acquainted with the following particulars: Mr. William Lee never had a commission to the commercial agency though he is now executing it by his agents. Mr. Lee's caution was such that he never even answered my letters to him in February or March, informing him that Mr. Robert Morris had written to me that he was appointed; nor did I learn anything from him of his intentions until he arrived at Paris the summer following, where also he acted with the greatest caution, while he waited the return of his brother from Berlin. Before and after his being at Nantes he went so far as even to desire Mr. Williams and others at Paris and Nantes not to let it be known that he had anything to do in American affairs, as he said it would greatly prejudice his interest in London; and so far was he from ever executing, or publicly attempting to execute, that agency until after the news of General Burgoyne's defeat had arrived in France, that he did nothing that ever I heard of which could have prevented his returning to the exercise of his aldermanship in London.

Mr. Izard is pleased to say that "to let Mons. Gerard go away without giving him the least intimation of it was a very high insult to Congress." It was not in our power to permit or prevent Mons. Gerard's going away; and if we did not, circumstanced as we then were, think ourselves authorized to communicate it to Mr. Izard, I can not conceive this to be a high insult to Congress; certain it is we meant no such thing; we meant to serve, not insult, that honorable body. "The object," he says, "of these gentlemen is to have Mr. Deane come back in a public character, if not to France, perhaps to Holland, or some other part of Europe, and therefore they are afraid of having reasons given why this should not be the case." And he adds, "I am of opinion that he is upon every account an improper person to be employed by Congress." I have already appealed from this gentleman's opinions, so I shall say nothing further about them. His reasons, if he offers any, are to be judged of by Congress. I find, however, he had more apprehensions than reasons in this part of his letter. His apprehensions as well as opinions were, in part at least, groundless. He was apprehensive lest my venerable colleague would solicit some appointment for me. I do not learn that he has done it. I never desired or expected that he would. Mr. Izard, I presume, knew that I had a very extensive correspondence with gentlemen of the mercantile and moneyed interest and character in Europe, but particularly in Holland, where I had long before been preparing the minds of such men in favor of a loan. He knew that there was not merely a correspondence, but a strict personal friendship subsisting between certain gentlemen in Amsterdam and at The Hague and myself, and that I had proposed to go there on the subject of

the loan as well as for other purposes. I presume also he knew that the French ambassador in Holland, the Duke de Vauguyson [sic.], who spent last winter in Paris, honored me with his acquaintance; and, with all the politeness, as well as zeal, for the interest of the United States of North America, which make part of that nobleman's character, urged me to go there, assuring me of every personal service and civility which should be in his power. My recall prevented the execution of the plan; and Mr. Izard doubtless apprehended that I should solicit for the appointment. His apprehension was groundless. The honorable Congress knows that I have not solicited for any appointment. My life and fortune, with what abilities I am blessed with, have been from the first, and will ever be, devoted to the service of my country, who are most certainly the best judges in what department they can be most useful, or if they can be of any use at all; and to their judgment I most cheerfully submit.

I have the honor to be, with most respectful attachment, etc.,*

SILAS DEANE.

Deane to the President of Congress.†

PHILADELPHIA, October 12, 1778.

SIR: I beg leave to lay before Congress a few observations on the extracts from Mr. Arthur Lee's letter, dated Paris, June 1, 1778, read in Congress the 3d instant, which was ordered to be communicated to me. Mr. Lee begins by saying that "M. Monthieu's papers were sent to show you the demands that are made upon us and the grounds of them. You will see that they are accounts which Mr. Deane ought to have settled."

Not having seen the accounts or papers said to have been sent, I can only reply generally by informing Congress that I contracted with M. Monthieu (nearly at the time that I contracted with Mons. Beaumarchais for the stores) to procure ships to transport them over to America.‡ The rate, I was told in Paris and elsewhere, was as low as could be then procured in France; it has risen since that time. The ships were to have been dispatched in a reasonable time to and from America. Mons. Beaumarchais was my surety. The difficulty met with in getting away the stores was such that the last of the ships did not sail from Marseilles until in September, 1777. The delay of near twelve months of some of them in France, and an uncommon delay of all of them, occasioned by repeated counter orders and fresh obstacles rising in the way of embarking those stores, as well as the unexpected detention of those ships in America—as, for instance, of the

* As to action of Congress in Deane's case, see Sept. 18, 22, Oct. 14, Dec. 7, 22, 31, 1778; June 10, Aug. 16, 1779.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 103, with verbal changes.

‡ See the articles of agreement for this purpose, dated 15th October, 1776, *supra*.

Amphitrite, from April until the October following, with the capture of one of them—were circumstances unforeseen and unexpected at the time of making the contract, and entitled M. Monthieu to an equitable consideration over and above the freight stipulated. Before the last ship sailed, therefore, M. Monthieu insisted that some mode for a settlement should be agreed upon, on which Dr Franklin and myself agreed with him to submit the whole to Mons. Chaumont. The submission was made and signed. M. Monthieu, on his return from Marseilles (to which place he went immediately to embark and send off the remainder of the stores) urged M. Chaumont to undertake it. I did the same. He declined, telling me that he found Mr. Lee of so jealous and unquiet a disposition, and so much disposed to abuse every one that he had any concerns with, that he had well-nigh resolved never to have anything more to do with the commissioners while he was one of them; but as M. Monthieu had other concerns with the commissioners, he thought it best to settle the whole at once; and when the whole was ready for settlement, if Mr. Lee would then desire him to undertake it, he would do it as well to oblige us as M. Monthieu, for whom he had a regard. This put off the settlement for the time.

Mr. Lee proceeds to say, "It is this sort of neglect and studied confusion that has prevented Mr. Adams and myself, after a tedious examination of the papers left with Dr Franklin, from getting any satisfaction as to the expenditures of the public money. All we can find is, that millions have been expended, and almost everything remains to be paid for."

I am not surprised at anything of this kind from Mr. Lee, nor that Mr. John Adams has not joined with him in this letter, though I dare say that gentleman knows his duty, and has done it, as well to the public as to me. After premising that Mr. Lee had in his hands the accounts of all the moneys received and paid out on the public account, I will lay before Congress the facts which he had before him when he wrote this letter, after which Congress will be able to judge whether Mr. Lee had any grounds for his representing me as a public defaulter for millions. It is certain that Mr. Lee knew that the total amount of moneys received by the commissioners to the time of my leaving Paris amounted to 3,753,250 livres; and that the balance due Mr. Grand the 27th March was 293,738.17, and that the whole expenditures to that day consequently were 4,046,988.17 livres.

In the next place, it will appear that by much the greater part of this was actually expended and paid out by and with Mr. Lee's consent and orders at the time; the whole was well known to him, as he had, from time to time, access to Mr. Grand's books, and Mr. Grand delivered him copies thereof up to the 27th of March last, by which he had before him an account of every payment that had been made, and I sent him in writing an explanation of every payment that had been made in his absence, or which had not been made by his written order.

The accounts of the particular articles in detail not being here, I am unable to explain every charge in Mr. Grand's account. It is sufficient that Mr. Grand's account shows that the nature of nearly the whole of the expenditures was perfectly well known to Mr. Lee when he wrote the above account of millions expended and represented he knew not how. To show this, I have stated Mr. Grand's account in a shorter compass than what it was before, and have brought the different payments for particular objects, made to different people, into one view, as will be seen in the annexed statement or explanation of Mr. Grand's account.

I have no design, in answering this part of Mr. Lee's letter, to go further into the accounts than to show demonstratively that nothing can be more groundless and unjust than for him to represent that millions had been profusely expended, and as if he knew not in what manner or to what purpose. The amount of expenditures, until the time of my leaving Paris, was 4,046,988.17 livres, and it appears, as well from the nature of the account as from the knowledge Mr. Lee had of the transactions, that he knew generally of the payment of every livre and to whom it had been made, having the accounts and the explanation of them in his hands up to the very day I set out from Paris. The particular application, indeed, of every part could not be known until the several accounts should be given in. Mr. Lee himself signed the orders for much the greater part of the moneys to Mr. Williams and the other principal payments, and was well informed of the business which he (Mr. Williams) was executing. By this stating of the account it will appear that the commissioners, for their private expenses, from December, 1776, to 27th March, 1778, for the support and relief of Americans escaping from prison in England, for the payment of Mons. Dumas, agent in Holland, the sending of expresses, the purchase of a large quantity of shoes, which were sent to Nantes to be shipped for America, and for several less disbursements, had of Mr. Grand only the sum of 244,285 livres, equal to the sum of £10,261 10*s* sterling, which is of itself a demonstration that there was no misapplication of the public moneys, since Mr. Lee has written that he could not live under £3,000 sterling per annum himself. Whether or not extravagant prices were given for any of the articles purchased will be an after consideration.

Mr. Arthur Lee says "that almost everything still remains to be paid for."

I really know not what he means. Things once paid for are not to be paid for a second time, and the payments stated above are proved by Mr. Grand's accounts to have been *bona fide* made. "Bargains," he says, "of the most extravagant kind have been made with this Mons. Monthieu and others;" and then he proceeds to give an example. As to the bargains I was concerned in with this man, and with every other person, I totally deny the fact, and the example given is but a mere pretense. I am so confident of the contrary, that I will most cheer-

fully take every bargain made by me, or with my consent, in Europe, the contract with the Farmers General excepted (which was partly political at the time), on myself, and will be bound to abide the profit or loss, leaving them to be judged of by the ablest merchants in Europe. Mr. Lee informs us of 100,000 livres given to Mr. Hodge, and that the privateer or vessel he bought cost about £3,000, or 72,000 livres, and adds "for what purpose the surplus was given to Mr. Hodge, how the public came to pay for her refitting, and at length the vessel and her prize money made over to Mr. Ross and Mr. Hodge, without a farthing being brought to public account, rests with Mr. Deane or Mr. Hodge to explain;" and in a few lines further he says, "you will see my name is not to the contracts;" but he forgets to add that he was at Berlin when they were made. What I have already observed upon in Mr. Lee's letter, and what I propose to notice, confirms me in the opinion which Dr. Franklin and some others have for some time had of him, that, from a long indulgence of his jealous and suspicious disposition and habits of mind, he is at last arrived on the very borders of insanity, and that at times he even passes the line; and it gives me pleasure, though it is but a melancholy one, that I can attribute to the misfortunes of his head what I must otherwise place to a depravity of heart.

Mr. Hodge went to Dunkirk by order of the commissioners. They sent him in consequence of orders from thesecret committee. He purchased and fitted out two vessels, a fact, though forgotten by Mr. Lee, known to everyone at the time. From what that brave and virtuous young American did and suffered on the occasion it was the common topic of conversation everywhere; it raised insurance in England 10 per cent. for a time. Mr. Hodge, to appease the British ambassador, was sent to the Bastile, and Cunningham, making his cruise round England and Ireland, put into Spain without prize money equal to the repairs he wanted. Mr. Hodge was released from his imprisonment, and one of the first things he did was to give Mr. Lee the account of his whole disbursements in writing. Mr. Hodge had taken a small interest in the adventure from the first, and proposed following Cunningham into Spain by land and making a cruise with him. He proposed that Mr. Ross and he should purchase the vessel; but as a price could not easily be agreed upon, they proposed to take the vessel as she was, and do the best with her against the common enemy, and to account to Congress therefor. Mr. Ross desired that such an agreement should be signed by the commissioners for his security. I know not that it was ever done. I have only to add on this subject, that all the moneys received by Mr. Hodge amounted to 92,729 livres 18.3 in the whole, and that Mr. Hodge rendered us other services besides equipping these two vessels.

Speaking of the contracts, he says, "they were in fact concealed from me with the utmost care, as was every other means of my knowing how these affairs were conducted."

I have, in reply, to relate the following facts, which are easy to be ascertained: Mr. Lee, on his return from Berlin, was made acquainted with the contracts; Messrs. Holker (now in Boston), Sabbatier, and Desprez repeatedly conferred with Mr. Lee on the subject in my presence, and when they brought in their accounts Mr. Lee assisted in adjusting them, and signed with us the orders for the payment, as Mr. Grand's account and the orders and accounts themselves will show. It is true, the execution of M. Monthieu's contract was not completed when I left Paris, and therefore his accounts could not be settled. Mr. Williams had the oversight of repairing the arms in the magazine at Nantes; he settled his accounts with his workmen monthly; he had a frigate fitting out for the commissioners, ten thousand suits of clothes making up, a number of shirts, shoes, etc., together with the charge of all the stores the commissioners were sending to Nantes to be shipped. Monthly accounts were not to be expected in reason from a man in such a situation; it could not be done if promised, and Mr. Williams is a gentleman of too much probity as well as knowledge in business to promise what he can not perform. It is not enough to say that no man in France enjoys a better character for strict honor and probity, both at court and in the city, than Mons. Chaumont. Justice must add, there is no man enjoys it perhaps so universally through the kingdom, among the merchants, the farmers or husbandmen, and mechanics, in all which branches of business he is constantly speculating. This man is the friend of Dr. Franklin; I have the pleasure of knowing him to be mine, and what is more, the friend of my country on all and in the most trying occasions. I do not wonder that Mr. Lee should appear jealous of this gentleman, as well as of everybody else, a select few excepted, and very few indeed are those who escape his jealous suspicions either in Europe or America. It is a melancholy truth, but justice to the public requires my declaring it, that I never knew Mr. Lee, from his first coming to Paris, satisfied with any one person he did business with, whether of a public or private nature, and his dealings, whether for trifles or for things of importance, almost constantly ended in a dispute, sometimes in litigious quarrels.

Mr. Lee lived some time in M. Chaumont's house. M. Chaumont knew him perfectly well, and was not reserved in speaking his opinion of him. I am sorry to be thus lengthy on so disagreeable a subject, a subject which I cautiously waived entering on in my narration to Congress, not choosing to trouble them with matters which they might deem of a personal nature. I am grieved to have been forced on it at all, and hope never to be obliged to resume it; and as in commercial transactions there are but two sides to an account, and everything goes to the debt or credit, the folio for profit or loss, so I must solicit that Dr. Franklin and the honorable Mr. Adams may be directed to see the settlement of all those accounts immediately on my return to Paris; and as there has been a charge made by Mr. Lee of profusion, of extra-va-

gant contracts, and the like, that those gentlemen be authorized to submit the accounts, with every allegation of the kind, to the adjustment and determination of gentlemen of ability and character on the spot, and that orders may be given, that whatever sum may be found due from the commissioners may by them be instantly paid into the hands of the banker for Congress, and that, in like manner, said banker may be ordered to pay whatever may be the balance to the person in whose favor the same shall be found. By this means the truth will be demonstrated and justice done, which is all I have ever wished for. Having forgot to mention it in its place, I must be permitted to add here that the first vessel purchased and fitted out by Mr. Hodge was, on the return and imprisonment of Cunningham, detained by order from court, and a second purchased, in which Cunningham went on his second cruise. The first was put up for sale at Dunkirk, but not disposed of when I left Paris; at least I had not heard of it.

I have the honor to be, with the most respectful attachment, etc.,

SILAS DEANE.

P. S.—I have mentioned money paid Mons. Dumas as part of the aggregate sum of 244,285 livres 13s. 10d. There will be found the sum of 4,351 livres 5s. 3d. paid by Messrs. Horneca Fitzeau & Co. to Mons. Dumas, and for other expenses. I fear on a review that the brevity I aimed at may cause some mistake. It is therefore proper to observe that but a part of this sum was paid to Mons. Dumas, a part being for other disbursements, independent of which sum the commissioners made other remittances to Mons. Dumas.

Mr. Deane's Observations on Mr. Arthur Lee's Letter of June 1st, 1778.*

Mr. Lee, in his letter of the 1st June, on which I have made observations, having insinuated many things to the disadvantage of Dr. Franklin's character, as well as to that of Mons. Chaumont and my own; and Mr. Izard in those letters the extracts from which I was favored with by order of Congress having gone even beyond Mr. Lee, and since in his letter of the 28th of June last, speaking of Dr. Franklin and myself, he says:

"There is very little reason to think that any objections, however well founded, would have made any impression on the interested views of one or the haughtiness or self-sufficiency of the other."

Afterwards, in the same letter, speaking of Dr. Franklin, he says:

"His abilities are great and his reputation high. Removed as he is to so considerable a distance from the observation of his constituents, if he is not guided by principles of virtue and honor those abilities and that reputation may produce the most mischievous effects. In my con-

* 1 Spark's Dip. Rev. Corr, 110.

science I declare to you that I believe him under no such internal restraints, and God knows that I speak the real unprejudiced sentiments of my heart."

Gratitude as well as justice to that truly great man, to whose friendship and counsel I owe much, oblige me to say on this occasion that I not only believe, but know, that this is, to say no more of it, directly the reverse of the character which Dr. Franklin has ever sustained, and which he now most eminently supports. It gives me pleasure to reflect on the honors and respect universally paid him by all orders of people in France, and never did I enjoy greater satisfaction than in being the spectator of the public honors often paid him. A celebrated cause being to be heard before the parliament of Paris, and the house and streets leading to it crowded with people, on the appearance of Dr. Franklin way was made for him in the most respectful manner, and he passed through the crowd to the seat reserved for him amid the acclamations of the people; an honor seldom paid to their first princes of the blood. When he attended the operas and plays similar honors were paid him, and I confess I felt a joy and pride which were pure and honest, though not disinterested, for I considered it an honor to be known to be an American and his friend. What were the sensations of the writers of these letters on such occasions I leave their letters and conduct towards him to speak, and I can not now express the indignation and grief I feel at finding such a character represented as the worst that human depravity is capable of exhibiting, and that such a representation should be made by an American in a public character.

In the course of my narrative I mentioned Mr. Williams' accounts as being finally settled. I drew my conclusion from his letter to me of the 22d of July last, read in Congress. I find the accounts are not finally closed, though Dr. Franklin and Mr. Adams have ordered him the payment. Mr. Williams informs me he has wrote to Congress and sent his accounts; the accounts themselves will show that I have not, or ever had, any private or personal interest in his transactions; at the same time, I beg leave to interest myself in what affects this gentleman, because I think I know him to have been a most faithful and useful servant of the public, and every way deserving of the character given him by Dr. Franklin and Mr. Adams; and as Dr. Franklin, from being his uncle, feels a delicacy in writing so fully about him, I therefore pray that this gentleman's accounts may be put into a train for being closed.

I recollect that Mr. Lee has mentioned Count Lauragais in his correspondence with Mons. Beaumarchais, and am informed that this gentleman has in his letters been referred to. Count Lauragais is a nobleman, who was born to an immense fortune, the chief of which he has long since dissipated in a wild, and I may say in such an eccentric, course of life as hardly has a parallel in France. He has set up, at times, for a philosopher, a wit, a poet; then as suddenly flew off, and

engaged in building, planting, or politics; he was one month for engaging in trade, the next a country gentleman on his farm, the third blazing in the *beau monde* at Paris; and France being insufficient to afford a variety of scenes sufficient to equal the restlessness of his genius, he has constantly been shifting them from Paris to London and from London to Paris. In London he set up for a patriot, and engaged seriously in the disputes and parties of the day, and what was very diverting, sat down for a few weeks to study the laws of England, in order to confute Blackstone. His rank, to which his birth entitles him, gives him admittance to court, and the extravagancy of his wit and humor serves to divert and please men in high office, and he consequently, at times, fancies himself in their secrets. This gentleman knew Mr. Lee in London before I arrived in France, and was afterwards often with him at Paris. His character was given me soon after my arrival, and I was put on my guard and warned by the minister, not that he supposed him to have designs unfriendly either to France or America, but on account of his imprudence, and of his being frequently in London, and with those in the opposition in England, of whom the court of France were more jealous and against whom they were equally on their guard as with the British ministry themselves. As this nobleman's name may be made use of, I can not dispense with touching lightly on the outlines of a character extremely well known in France and England, and to which some gentlemen in America are no strangers.

I have mentioned the first and principal contract having been made for clothing with Mr. Holker, now agent for France in America. This gentleman was then one of the inspectors-general of the manufactures of France, and knowing perfectly well the price and quality of cloth in every part of the kingdom, he undertook, at the request of our mutual friend Mons. Chaumont, to put us in the way of being supplied at the cheapest rates, and, by joining himself in the written contract, induced his friends, Messrs. Sabbatier *fils* and Desprez to engage, which they did. They purchased the cloth at the manufactories at the first cost, procured it to be made up at the cheapest rate, and the clothes to be transported to Nantes, charging only the prime cost on everything, and two per cent. commissions for their trouble. Mr. Holker, after having engaged these men, whose house is a capital one in Paris, and who, from their having for some time supplied a great part of the clothes to the armies of France, were well acquainted with business of that kind, took no further part in the affair but that of examining the work and accounts, to see that everything was performed in the best and cheapest manner. In this I assisted him. I went with him to the workmen, and examined the cloth, the fashion, and the economy practised in the work, from which I will venture to assert that clothes of equal goodness could not be made cheaper, if so cheap, by any other method in France.

Mr. Holker and the other gentleman, as I have already observed, saw Mr. Arthur Lee several times on this subject, until they become so

disgusted with a man who found fault with everything without stepping out of his door to examine anything, that they declined having anything further to say to him. When their accounts were ready to be settled I examined them, struck the balance, and Mr. Arthur Lee joined with Dr. Franklin and myself in signing drafts on Mr. Grand for the money. The bills were drawn in favor of Messrs. Sabbatier and Desprez solely, Mr. Holker taking no share in the commission, but generously gave in the time he had spent in the affair, though it had been considerable. This gentleman is now in Philadelphia, and, if necessary, may be applied to respecting what I have said on this subject. His character, as well as that of his worthy father, is well known in France, where they are jointly inspectors of the manufactures of that kingdom, and on every occasion they exerted themselves to serve this country; a testimony due to them from me when I am called on to mention them publicly. The instances they gave me personally of the most disinterested friendship and attachment I shall never forget.

I can but return to Mr. Williams. This gentleman, after stating all his accounts in the fairest and most explicit order, attended near ten weeks at Passy for a settlement. Dr. Franklin and Mr. Adams, as has before been related, so far approved of them as to order his balance, or nearly the whole of it, to be paid him, and gave him a letter certifying him of their full persuasion of his ability and integrity, and that he had done good services. Yet such was the disposition of Mr. Lee towards him, that he could by no means get them passed. Impatient and wearied out with the captious, insulting manner in which he was treated by Mr. Lee, and which nothing but his official character protected him in, Mr. Williams engaged a gentleman from Boston, Mr. Cutler, to copy off all his accounts and compare them with the original vouchers, and to make a voyage to America to lay them before Congress. This gentleman arrived a few days since, and having made the voyage and journey on this purpose only, I take the liberty to entreat Congress, in behalf of my absent friend and their faithful servant, that those accounts may be examined, that Mr. Cutler may be heard, if necessary, to explain them, and Mr. Williams relieved from the embarrassments of Mr. Lee, whose disposition does not appear to be mended since I left Paris, but, if possible, greatly increased for dispute and for the most vexatious altercation.

Could I take any pleasure on so disagreeable a subject, and one which throws the affairs as well as reputation of these States into confusion and disgrace, it would be to find that the universal testimony of all who know the situation of our affairs in France confirms what I have, in duty and justice to these States, been obliged to lay before Congress. Mr. Lee's nephew, a son of the honorable Richard Henry Lee, is in the house of Mons. Schweighauser, at Nantes, as a clerk or as a partner; I am informed the latter. Commercial affairs and the disposition of prizes are put into the care of this house, while a near connection of M.

Schweighauser, at Guernsey or Jersey, is employing himself in sending out cruisers on our commerce. I know nothing of M. Schweighauser except by reports; those have been in his favor as a good merchant. But this circumstance, added to some others which Mr. Cutler informs me of, has given cause for the greatest uneasiness and distrust, which, added to the difficulties met with at Paris from Mr. Arthur Lee, prevents anything being done to effect, if really anything at all towards sending out supplies to these States.

SILAS DEANE.

Deane to the President of Congress.*

PHILADELPHIA, October 12, 1778.

In a conference had with Mons. Gerard, in the month of January, last, at Versailles, he observed that the thirteenth article † in the treaty proposed by Congress, which exempted the molasses purchased by the inhabitants of the United States in any of the islands belonging to, and subject to, his most Christian majesty from any duties whatever, was an unequal article, as he termed it, that without some concession of equal importance on the part of the United States it could not be agreed to, as it would carry the appearance of inequality, and as if Congress were taking the advantage and dictating the terms in their own favor; that therefore it was expected either wholly to omit the article or place an equivalent over against it on our part.

On my return to Paris, I laid M. Gerard's proposals before my colleagues, who agreed generally to the justice and propriety of them, but we found it difficult to place any article or articles over against that of molasses, which would be of equal consequence, and in which the States of America were at the same time equally interested. After long consideration had on the subject Dr. Franklin proposed the article nearly as it now stands; Mr. Lee objected to it, as being too extensive, and more than equivalent for that of molasses only, to which I answered, that though the concession might appear great, it was in reality nothing more than giving up what we could never make use of but to our own prejudice, for nothing was more evident than the bad policy of laying duties on our own exports; that molasses, though apparently but an article of small value, was the basis on which a very great part of the American commerce rested; that the manufacture of it into rum was every year increasing, especially in the middle and southern States, where it had been more lately introduced.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 114, with verbal changes.

† ARTICLE XIII.—It is agreed by and between the said parties, that no duties whatever shall ever hereafter be imposed on the exportation of molasses from any of the islands and dominions of the most Christian King in the West Indies to any of these United States.

See on this topic Introduction, § 46, and prior correspondence under date of Jan. 28, Feb. 1, May 23, June 4, 18, 1778.

Dr. Franklin agreed with me, and argued on much the same ground, but neither of us insisted on the article at the time, but that the proposition should be made for the consideration of Mons. Gerard, reserving to ourselves the power of agreeing to it or not afterwards. A few evenings after, and nearly as I can remember, about five or six days before the actual signing of the treaty, we met Mons. Gerard at my house in Paris. He brought the proposed treaty with him, in which he had inserted the eleventh and twelfth articles as they now stand. The treaty was read, considered, and agreed to, article by article, except the eleventh and twelfth, respecting which M. Gerard observed at first that he considered them as they then stood reciprocal and equal, but that he left it entirely with us to retain them both, or to reject them both, it being indifferent with his majesty, but that one could not be retained without the other. On our having agreed to all the other articles, we told him we would confer together on the eleventh and twelfth, and write to him what our determination should be. As soon as he was gone the subject was taken up; the arguments before used were again considered, and finally we unanimously agreed to retain both the articles; on which I desired Mr. Lee to write a letter to Mons. Gerard informing him of it, and that I would send it out to Versailles the next morning from Passy, that there might be no more delay in transcribing and executing the treaties. Mr. Lee accordingly wrote, and Dr. Franklin, he, and myself, signed the letter, which I sent the next morning.*

A day or two after this Mr. A. Lee wrote a letter to Dr. Franklin and me, in which he expressed great uneasiness about the eleventh and twelfth articles and a desire to have them left out, on which we advised Mr. Lee to go himself to Versailles on the subject, which he accordingly did; and we wrote to M. Gerard by him that we were content to have the two articles left out, if agreeable to his majesty.† As we had just before unanimously agreed and written to have them retained, we could not, with any consistency, make a point of their being expunged. Mr. Lee discoursed on the subject with M. Gerard, who satisfied him, as he thought at the time, and as we all then thought, of the impropriety of making any alteration in the treaty after it had been so maturely considered; had been fully agreed upon by us all; had been approved

* The articles in question are as follows:

ARTICLE XI. It is agreed and concluded, that there shall never be any duty imposed on the exportation of molasses that may be taken by the subjects of any of the United States from the islands of America which belong, or may hereafter appertain, to his most Christian majesty.

ARTICLE XII. In compensation of the exemption stipulated in the preceding article it is agreed and concluded, that there shall never be any duties imposed on the exportation of any kind of merchandise which the subjects of his most Christian Majesty may take from the countries and possessions, present or future, of any of the thirteen United States for the use of the islands which shall furnish molasses.

The treaty may be seen entire in the *secret journals of Congress*, vol. 2, p. 59.

† See these letters under dates Jan. 30, Feb. 1 and 2, 1778, *supra*.

of in form by his majesty, and ordered to be transcribed and signed. Neither Mr. William Lee nor Mr. Izard ever spoke one word to me on the subject; and I did not think myself authorized or at liberty to consult them or any other person on the subject but my colleagues.

SILAS DEANE.

Franklin, Lee, and Adams to Sartine.*

PASSY, October 12, 1778.

SIR: The letter your excellency did us the honor to write to us the 7th of this month we duly received.

In our letter of the 26th of last month respecting the goods of Mr. Izard on board the *Nile*, we cited the sixteenth article of the treaty of commerce in support of Mr. Izard's claim, which your excellency thinks an error, and that it is the fourteenth article which most nearly relates to his case. We cited the article as it stood in the original treaty, where it is the sixteenth. Your excellency cites it as it stands in the treaty now agreed to be amended, leaving out two articles, the eleventh and twelfth. But your excellency and we mean all the same article, which appears to us to apply to Mr. Izard's case as clearly, strictly, and fully as it could have been contrived to do if his case had been in contemplation at the time when the treaty was made and specially meant to be provided for. The words of the article are, "That such goods as were put on board any ship belonging to an enemy before the war, or after the declaration of the same, without the knowledge of it, shall no ways be liable to confiscation, but shall well and truly be restored, without delay, to the proprietor demanding the same. Ignorance of the declaration of war not to be pleaded more than two months after the declaration."

Now, by the bill of lading which we had the honor to enclose to your excellency, it appears that the goods were shipped in the month of April last, at a time when certainly two months had not elapsed from and after the declaration of war. But if other evidence of this fact, viz, the time when these goods were shipped, is necessary, Mr. Izard can certainly obtain it from England, although it would be attended with a good deal of trouble and expense.

As to the question whether the goods are Mr. Izard's property or not, Mr. Izard, in a letter to us, dated the 10th of this month, assures us that his name is in many of the books, and that one of the boxes contains a great number of his papers, with his name upon them; that the testimony of his merchant in London, who shipped the things, shall be procured, if necessary, and likewise that of the merchant in Leghorn, and the Abbé Niccoli, to whom they are addressed.

We are only desirous of what is right; and, as we hold ourselves

bound to do all in our power to assist our fellow citizens in maintaining their rights, and of omitting no advantage that they are entitled to by the treaty; and as the treaty is so express that goods so circumstanced shall be restored without delay and upon demand; and as Mr. Izard apprehends he ought not to be put to the trouble, delay, and expense of a lawsuit on this occasion, we have thought it our duty to write again to your excellency on the subject.

We are sensible that his majesty has granted the whole of the property which shall be taken from the enemy, and shall be lawful prize, to the captors; and the encouragement of adventurers in this way is of so much importance to our country, as well as to this, that we wish them to enjoy all the profits and advantages of their prizes. But the captors in this case must be sensible that the goods belonged to a friend, not an enemy, and therefore not included in his majesty's grant.

We beg leave to lay another subject before your excellency. There are, we are informed, on board the *Fox* and the *Lively*, as there are in almost every ship in Admiral Keppel's and Lord Howe's fleets, numbers of American seamen, who abhor the service into which, by one of the most extravagant flights of tyranny and cruelty that ever was heard of among men, they have been forced and compelled to fight against their country and their friends. These seamen we should be glad to deliver from the prisons in this kingdom, and from a misery and captivity infinitely more detestable on board of British men-of-war. We therefore beg leave to propose to your excellency that an inquiry be made, and a list taken of the natives of America among the crews of the *Fox* and *Lively*, and the men delivered to us. This would be attended with many happy consequences. It would relieve many of our countrymen from present confinement and the most dismal prospects, and would furnish our vessels with a number of excellent sailors. It may be proper to inform your excellency that, before this war began, one-third part of the seamen belonging to the then whole British Empire belonged to America. If we were able to command the services of all the sailors it would be of great importance to the common cause; it would take away one-third of the whole; those employed in the American service would be able to fight another third remaining to Great Britain, and, consequently, would leave to France no more than one-third of the seamen belonging to the British Empire before the war for France to contend with. But, alas, this is not the case. Various causes—too many to be here explained—have concurred to prevent this. But we are very desirous of alluring back to their country as many as possible of those we have lost; and the plan we have now proposed to your excellency appears to be one probable means of doing it. We shall suggest others hereafter, as opportunity occurs.

OCTOBER 15, 1778.

Since the foregoing was written, we have received letters from Robert Harrison, John Lemon, Edward Driver, and John Nicols, prisoners in

Denant Castle, representing that they were taken by English frigates, in American privateers, forced into the service on board the *Fox*, and now taken by the French, and praying that we would intercede for their liberty, that they may return, if possible, to their country.

We have the honor to be, etc.,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Lovell to the Commissioners at Paris.*

PHILADELPHIA, October 12, 1778.

GENTLEMEN: Congress having foreign affairs now under consideration, I shall not write to you on that subject, more especially as it is quite uncertain how the present papers will be conveyed; nor shall I pretend to unravel to you the designs of the enemy; they are very inscrutable; the printers know as much as I do about them; therefore I send a few of the last prints of Dunlap, which, with the Boston papers, must decide you in opinion.

Your affectionate friend, etc.,

JAMES LOVELL.

Lee to Adams.†

CHAILLOT, October 12, 1778.

DEAR SIR: I have hoped for leisure to answer your favor as fully as in my own indication it demands. There are matters touched in it which imply a censure upon me, which a recapitulation of facts, I am satisfied, would convince you is unjust. But as I despair of sufficient leisure for some time, I must content myself with replying to what is immediately necessary.

A desire to remove as much as I could the cause of your complaint was the motive I stated to you for writing, and I repeat to you it was the only one. I mentioned my objections to your other plan when you proposed it. If you think them of no weight, let that or any other that will be most agreeable to you and Dr. Franklin be adopted and it will have my most hearty concurrence. With regard to the proposal of coming to live with you, nothing would give me more pleasure were it practicable. I thank you for the civility of offering me your room, but it would be impossible for me to do so unhandsome a thing as to desire that of any gentleman. The living upon the bounty of a common individual I always objected to; besides, in the best of my judgment that individual appears to me justly chargeable with the foul play used with

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 346.

† 7 J. Adams' Works, 58.

our dispatches. Till I see reason to think otherwise I should hold myself inexcusable—both to my constituents and myself—if I were to put myself so much in his power. The house I am in, at all events, I must pay for this half year; therefore it would not save this expense. To live together was what I proposed, and labored to effect, though in vain, when the commissioners first came here. I thought it would be attended with every good consequence, and there was nothing I desired more. But under all the circumstances of that proposition now, and the inveterate habits that have taken place, it appears to me to be attended with insuperable objections. I am, however, open to conviction, and shall be most happy in finding any practicable means of effecting the ends you propose. Having to dress, breakfast, dispatch letters, and do the necessary family affairs before I come to you, I find 11 o'clock the soonest I can engage for.

I had the same earnest desire you express, prompted as well by my own inclination and interest, as by my wish for the public good, to cultivate harmony and friendship with both my colleagues, and nothing gave me more uneasiness than the impossibility that I have hitherto found of effecting it.

I am, with the greatest respect and esteem, etc.,

A. LEE.

A. Lee to Vergennes.*

PARIS, October 12, 1778.

SIR: Your excellency has seen in the separate and secret act signed the 6th of February, 1778, that I am charged with full powers to conclude a treaty with Spain. You are also acquainted with my having been in Spain, and having had conferences with the Marquis de Grimaldi on the subject.

All the objections which were then alleged against an immediate declaration are now removed. The consistency of our cause is unquestionable. France is ready and has actually declared. Their treasure is safe, and the fleet from Buenos Ayres is in their harbors, yet we do not see the least movement on their part towards realizing the hopes they gave us; but, on the contrary, such ostensible measures as they have taken must certainly give encouragement to our enemies. That court has not thought proper to take the least notice of the ratification of the separate and secret article which I announced to them. While we are therefore bound, they remain at liberty.

All this, sir, gives me much uneasiness. I am apprehensive that Congress will not think this mode of acting very satisfactory; and that the encouragement that it must hold out to the court of London will prolong this pernicious war, and make it cost us much more blood and treasure than is necessary to tie the hands of our common enemy, and

* 1 Sparks' Dip. Rev. Corr., 519.

establish effectually the liberty, sovereignty, and independence, absolute and unlimited, of the United States.

In these very critical circumstances I must have recourse to the king and to your excellency. Our course is common, and it is my wish to conduct it by your experience, your lights, and your counsel, as to the measure I am to take, whether it be to act or to wait. This would always be my desire; but I now consider it as my duty; for it appears the mutual sentiment of your court and of Congress that the eventual treaty signed at Paris the 6th of February is now become actual, permanent, and indissoluble. The first article of that treaty says:

That if war should break out between France and Great Britain during the continuance of the present war between the United States and Great Britain, his Majesty and the United States will make it a common cause, and will aid each other with their mutual good offices, counsels, and forces, according to the exigency of things, and as becomes good and faithful allies.

It is upon these principles that I think it my duty to endeavor to place upon equal footing the interests of France and those of the United States; and therefore not to commence anything without the concurrence of your court. Upon the same principles I flatter myself with obtaining the aid and assistance of your wisdom and information as to the moment of commencing the measures to be taken and the means to be employed with the court of Spain.

I am persuaded, and always was so, that Great Britain can not make head for a year against the united counsels and force of the house of Bourbon and the United States of America.

I have the honor to be, etc.,

ARTHUR LEE.

Franklin, Lee, and Adams to Sartine.*

PASSY, October 13, 1778.

SIR: We had the honor of receiving your excellency's letter of the 7th instant, to which we shall take the liberty of answering fully by another opportunity. As you mention that the prize was condemned on the 20th, Mr. Izard is apprehensive that the goods in question may be sold before the ordinary course of law can prevent it. He therefore desires us to request your excellency to prevent that if possible. And we accordingly beg the favor of your excellency to do so. We hope there is no impropriety in this; and that if there should be, you will impute it to our want of information on the manner of such proceedings here.

We have the honor to be, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

* 1 Sparks' Dip. Rev. Corr., 347.

Franklin, Lee, and Adams to Izard.*

PASSY, October 13, 1778.

SIR: We have the honor of enclosing to you a copy of M. De Sartine's answer to our application in support of your demand of your baggage taken on board the *Nile*. We have, agreeably to your last letter, written again to M. De Sartine, requesting him to stop the sale of the things till you can make your objections to their being lawful prize.

We have the honor to be, etc.,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Franklin to Grand.†

PASSY, October 14, 1778.

SIR: I have considered the note you put into my hands containing a complaint of the conduct of Captain Conyngham in the *Revenge* privateer. We have no desire to justify him in any irregularities he may have committed. On the contrary, we are obliged to our friends who give us information of the misconduct of any cruisers, that we may take the occasion of representing the same to our Government, and recommending more effectual provisions for suppressing, punishing, and preventing such practices in future.

By the papers I have the honor to send you enclosed, and which I request you would put into the hands of his excellency Count

* 1 Sparks' Dip. Rev. Corr., 346.

† MSS. Dep. of State; 6 Bigelow's Franklin, 214.

John Adams, in his diary, gives the following account of the gentleman to whom this letter is addressed: Mr. Ferdinand Grand was a Protestant, from Switzerland, who had a house in Paris. Himself, his lady, niece, and sons composed as decent, modest, and regular family as I ever knew in France. It was, however, by M. Chaumont's influence with the Count de Vergennes and M. de Sartine that he obtained the reputation and emolument of being the banker to the American ministers. Sir George Grand, his brother, might contribute something towards this favor, because he had kept an inn at Stockholm when the Count de Vergennes was ambassador of France in Sweden, and accomplished the revolution of that kingdom to an absolute monarchy. This was a mere measure of economy in the French court, because before it has cost them in bribes to the states more money than they could well afford. The meeting of de Vergennes with the heads of the conspiracy had been held at Mr. Grand's inn, and he was rewarded with a cross of St. Louis, which gave him the title of Sir, as I suppose, having never heard that he had any English knighthood, although he had lived in England, where he married his daughter to the major or colonel who was afterwards General Provost. This lady, as I presume, is the same who afterwards married Colonel Burr, of New York, and was the mother of Mrs. Allston, of South Carolina. Sir George was connected in partnership with the house of Horneca, Fizeau & Co. in Amsterdam, a mercantile and banking company, and who had, or were supposed to have, the favor and confidence of the French ministers of state.—Note by Mr. Bigelow.

d' Aranda, the care of the Congress, to avoid giving offense to neutral powers will appear most evident: First, in the commission given to privateers, wherein it appears that sureties are taken of their owners that nothing shall be done by them "*inconsistent with the usage and custom of nations,*" and those sureties are obliged to make good all damages. Courts of admiralty are regularly established in every one of the United States for judging of such matters, to which courts any person injured may apply, and will certainly find redress. Secondly, in the proclamation of Congress, whereby strict orders are given to all officers of armed vessels to pay a sacred regard to the rights of neutral powers and the usage and customs of civilized nations, and a declaration made that if they transgress they shall not be allowed to claim the protection of the States, but shall suffer such punishment as by the usage and custom of nations may be inflicted on them. Lastly, in the particular care taken by Congress to secure the property of some subjects of Portugal (a power that has not been very favorable to us), although no reclamation has been made.

All these will show that the States give no countenance to acts of piracy; and if Captain Conyngham has been guilty of that crime he will certainly be punished for it when duly prosecuted, for not only a regard to justice in general, but a strong disposition to cultivate the friendship of Spain, for whose sovereign they have the greatest respect, will induce the Congress to pay great attention to every complaint, public and private, that shall come from thence.

I have, etc.,

B. FRANKLIN.

Congress.*—(Deane's Case.)

OCTOBER 14, 1778.

A letter of the 12th from Mr. S. Deane was read, accompanied with his remarks on the extracts from the letters from Mr. Izard, and also his remarks on the extracts from the letters of Mr. A. Lee, with which Mr. Deane was furnished.

Ordered, That a copy of the remarks on the extracts of Mr. Izard's letters be made out and transmitted to Mr. Izard, and that Mr. President be furnished with a duplicate thereof.

Ordered, That a copy of the remarks on the extracts of Mr. Izard's and Mr. Lee's letters be made out and transmitted to Mr. Lee.

Ordered, That Monday next be assigned for the further examination of Mr. W. Carmichael, and that Mr. Carmichael be directed to attend on that day.

* MSS. Dep. of State; printed secret journals of Congress, the latter being imperfect. (See *supra*, Sept. 22, 1778.)

OCTOBER 15, 1778.

A letter of the 28th of June last from Mr. Izard, Paris, with sundry papers accompanying the same, were read.

Ordered, To lie on the table for the perusal of the members.*

Congress.—Izard's Charges against Franklin.†

OCTOBER 15, 1778.

Mr. Laurens, the President, addressed Congress as follows:

“GENTLEMEN: I informed you yesterday that I had received a letter from Mr. Izard. I have since perused it, and find in it traits reflecting highly on Dr. Franklin in his public character. I have observed in this the rule which guided me in the late case of Mr. Izard’s letters. I have communicated the contents of the letter and papers accompanying it to nobody. I have consulted nobody. I act according to my own judgment, unbiased and impartial. Mr. Izard’s wish that these papers may be communicated to Congress appears to me to preclude option on my part. I therefore offer the letter and papers. If the House is pleased to receive and have them read, I will deliver them to the secretary for that purpose. I have delayed offering these papers earlier in hopes of seeing a full House, and had directed the absent members to be summoned. I have not read any of the papers, the letter excepted.

Ordered, That the letter from Mr. Izard and the papers accompanying it be received and read.

A letter of June 28 last from Mr. Izard at Paris, with sundry papers accompanying it, was then read.

Ordered, To lie on the table for the perusal of the members.‡

Franklin, Lee, and Adams to the Americans taken on board the English frigates.§

PASSY, October 15, 1778.

GENTLEMEN: We have received a letter from Robert Harrison, of the 7th of October, and another from John Lemon, Edward Driver, and John Nicols, of the 12th, all prisoners in Denant Castle, all professing to be Americans, who have first been compelled into the service of their enemies, and then taken prisoners by the French.

You are not known to us, but your account of yourselves, considering the general conduct of the English of late, is not improbable. We can not but feel a concern for all prisoners in such a situation, of whom,

* For further proceedings, see *infra*, December 7, 1778.

† MSS. Dep. of State; printed Secret Journals of Congress, the latter being imperfect.

‡ As to Izard’s denunciations of Franklin, see title “Izard” in index.

§ 1 Sparks’ Dip. Rev. Corr., 347.

to the lasting dishonor of the British Government and nation, there are too many on board almost every man-of-war in their service.

We have written to his excellency the minister of the marine of this kingdom upon the subject, and sincerely hope that something may be done for your relief, and that of all other prisoners in your situation.

But great care must be taken that neither we, nor more especially the Government of this kingdom, be imposed upon by attempts to set at liberty English, Irish, Scotch, or other sailors, disaffected to the American cause or unprincipled in it. We therefore desire you to send us a list and a short account of all the sailors, prisoners with you, who were born in America or have been in her service, and are willing to subscribe the declaration and take the oath of allegiance to the United States of America and to live and die by her cause.

We have the honor to be, etc.,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

W. Lee to the Committee on Foreign Affairs.*

FRANKFORT, October 15, 1778.

GENTLEMEN: I have the honor of forwarding to you herewith a third copy of the plan of a treaty of amity and commerce between the Seven United Provinces of The Netherlands and the United States of America, which you will perceive was settled by M. de Neufville, as the representative of Mr. Van Berckel, counselor pensionary of the city of Amsterdam, and myself. The burgomasters of Amsterdam had authorized Mr. Van Berckel to treat in this business in their name, and the pensionary regularly authorized M. de Neufville, a capital merchant of Amsterdam, to treat with me. I forwarded two copies of this plan from Paris last month, where I went to communicate what had been done to the commissioners there, as I did not think myself authorized to proceed any further alone.† They were fully informed by me of the state of polities in Holland, and that a great deal of management and secrecy in the present stage of the business would be requisite to complete it successfully, because the English party, having the Prince of Orange at its head, is very powerful, and might effectually obstruct the progress, if the negotiations come to their knowledge before the pensionary and burgomasters have made sure of carrying the point in the assembly of the States-General.

The further progress in this business your commissioners at Paris will

* MSS Dep. of State; 1 Sparks' Dip. Rev. Corr., 606, with verbal changes.

† For letters from M. Van Berckel and M. Dumas on this subject, see Berckel to Dumas, and declaration of Berckel, Sept. 23, 1778; commissioners to Dumas, Oct. 16, and Dumas to commissioners, October 27 and Nov. 4, 1778, *supra*.

no doubt communicate to you. However, it appears to me of no inconsiderable importance that I have obtained from the pensionary an engagement that the States-General shall not take any measures that may be injurious to the United States of America, provided America shall not take any measures injurious to Holland. This engagement the pensionary is alone capable of complying with, because his single negative is sufficient to prevent the States-General from entering into any such measures, and consequently the states will be prevented from giving any aid to Great Britain against our good ally France.

I have so often given you a full account of the situation of affairs in this quarter of the world that I have little to add on that subject. Though the King of Prussia was prevented by the critical situation of politics here from complying with the promise he had made of acknowledging our independence as soon as France had done so, I thought it proper to write to his minister to know whether our privateers and armed vessels would be permitted to enter and refit in the Prussian ports, to which he replied that his majesty's absence from Berlin and his continual application to the great object in which he is engaged prevent him from being able at present to make me a favorable reply, but he hopes that circumstances will soon enable them to make us more advantageous proposals than they have already done.

The campaign has ended for this year, and nothing material has passed. There are some politicians who think the winter negotiations will produce peace, and if they do, I think the King of Prussia will not then hesitate to enter into a treaty with us. As to the court of Vienna, you know my commission only authorized me to treat with the emperor, who has been since the beginning of April with his armies in Bohemia; however, while I was at that court our affairs could not be advanced there, because both the Emperor and the King of Prussia stand in the same predicament with respect to Hanover, which has now increased its army to near 30,000 men. The emperor wishes to keep Hanover neuter, and the king is exerting all his political abilities to have the Hanoverian army active on his side. This winter will, it is generally believed, decide the part that Hanover will take if the war continues in Germany, in which case the opposite party will join issue with us; in the meantime we must have patience, as at present neither side can in prudence enter into any measures with us unless France makes a point of it.

With the advice of the French ambassador at Vienna I shall remain here, as being a central place for Germany, until we can see with more precision how to direct our future operations. I understood from his excellency Count de Vergennes, when I saw him at Versailles last month, that he thought our business would by and by go forward at Vienna. As the court of Versailles can at any time influence that of Vienna with respect to us, I presume some plan of that sort is now in agitation, of which I expect due information from his excellency the Baron de Breteuil at Vienna; but I must remind you that, under my

present commission, I have no authority to conclude, or even to treat of, anything with that court. This I explained fully to you in my letters last winter, which you must have received.

I am, gentlemen, with the highest esteem and regard, etc.,

WILLIAM LEE.

PLAN OF A TREATY WITH HOLLAND.

Plan of a treaty of commerce to be entered into between their High Mightinesses the States of the Seven United Provinces of Holland and the Thirteen United States of North America (specifying the States).

The parties being willing to fix in an equitable and permanent manner the rules which ought to be followed relative to the correspondence and commerce which they desire to establish between their respective countries, States, subjects, and people, have judged that the said end could not be better attained than by taking for the basis of their agreement the most perfect equality and reciprocity, and by carefully avoiding all those burdensome preferences which are usually the sources of debate, embarrassment, and discontent; by leaving, also, each party at liberty to make respecting commerce and navigation such interior regulations as it shall find most convenient to itself, and by founding the advantage of commerce solely upon reciprocal utility and the just rules of free intercourse, reserving withal to each party the liberty of admitting at its pleasure other nations to a participation of the same advantages.

On these principles the parties above mentioned have, after mature deliberation, agreed to the following articles:

ARTICLE I.

There shall be firm, inviolable, and universal peace and sincere friendship between their high mightinesses the States of the Seven United Provinces of Holland and the United States of North America and the subjects and people of the said parties, and between the countries, islands, cities, and towns situated under the jurisdiction of the said United States of Holland and the said United States of America and the people and inhabitants thereof of every degree, without exception of persons or places.

ARTICLE II.

The subjects of the said United States of Holland shall pay no other duties or imposts in the ports, havens, roads, countries, islands, cities, and towns of the said United States of America, or any of them, than the natives and inhabitants thereof shall pay; but shall enjoy all the other rights, liberties, privileges, immunities, and exceptions in trade, navigation, and commerce, in passing from one part thereof to another and in going to and from the same from and to any part of the world, which the said natives or inhabitants enjoy.

ARTICLE III.

The subjects, people, and inhabitants of the said United States of America, or any of them, shall not pay any other duties or imposts in the ports, havens, roads, countries, islands, cities, or towns subject to their said high mightinesses the States of the Seven United Provinces of Holland than the natives and inhabitants of those countries, islands, cities, or towns shall pay; but shall enjoy all the other rights, liberties, privileges, immunities, and exceptions in trade, navigation, and commerce, in passing from one part thereof to another and in going to and from the same and to and from any part of the world, which the said natives or inhabitants enjoy.

ARTICLE IV.

The subjects and people of each of the aforesaid confederates, and the inhabitants of countries, islands, cities, or towns belonging to either of the parties, shall have liberty freely and securely, without license or passport, general or special, by land or by water, or in any other way, to go into the kingdoms, countries, provinces, lands, islands, cities, villages, towns, walled or unwalled, or fortified ports, dominions, or territories whatsoever of the other confederate, there to enter and return from thence, to abide there or pass through the same, and in the mean time to buy and purchase as they please all things necessary for their subsistence and use, and they shall be treated with all mutual kindness and favor; provided, however, that in all matters they behave and comport themselves conformably to the public laws, statutes, and ordinances of such kingdom, country, province, island, city, or town in which they may be and live, and converse with each other friendly and peaceably, and keep up reciprocal concord by all manner of good understanding.

ARTICLE V.

The subjects and people of each of the parties, and the inhabitants of the countries, islands, cities, or towns subject or belonging to either of them, shall have leave and license to come with their ships or vessels, as also with the goods and merchandise on board the same (the trade or importation whereof is not prohibited by the laws or ordinances of either country), to the lands, countries, cities, ports, places, and rivers of either side, to enter into the same, to resort thereto, to remain and reside there without any limitation of time: also to hire houses, or to lodge with other people, and to buy all kinds of lawful merchandises and goods where they think fit, from the first workman or seller, or in any other manner, whether in the public market for the sale of things, in mart towns, fairs, or wheresoever those goods or merchandises are manufactured or sold. They may also lay up and keep in their magazines or warehouses, and from thence expose to sale, merchandises or goods brought from other ports; neither shall they in anywise be obliged, unless willingly and of their own accord, to bring their said goods or merchandises to the marts or fairs; on this condition, however, that they shall not sell the same by retail or in shops or anywhere else. But they are not to be loaded with any impositions or taxes on account of the said freedom, or for any other cause whatsoever, except what are to be paid for their ships, vessels, or goods, according to the laws and customs received in each country, agreeable to the stipulations in this treaty. And, moreover, they shall have free leave and permission, without any kind of hindrance or molestation, to remove themselves; also, if they shall happen to be married, their wives and children, if they have any, and their servants, if they are willing to go with their masters, together with their merchandises, wares, goods, and effects, either bought or imported, whatsoever and whithersoever they shall think fit, out of the bounds of each country, by land or by sea, on the rivers and fresh waters, notwithstanding any law, privilege, grant, immunity, or custom in anywise impeding the contrary.

ARTICLE VI.

In the business of religion there shall be entire liberty allowed to the subjects of each of the confederates; as also, if they are married, to their wives and children; neither shall they be compelled to go to the churches, or to be present at the religious worship in any other place. On the contrary, they may, without any kind of molestation, perform their religious exercises after their own way in churches, chapels, or houses with open doors; moreover, liberty shall be granted to bury the subjects of either party who die in the territories of the other in convenient and decent places, to be appointed for that purpose, as occasion shall require; neither shall the dead bodies of those that are buried be anyways molested.

ARTICLE VII.

Furthermore, it is agreed and concluded as a general rule that all and singular the subjects of their said high mightinesses, the Seven United Provinces of Holland, and of the said United States of America, in all countries and places subject to their power on either side, as to all duties, impositions, or customs whatsoever concerning goods, merchandises, persons, ships, vessels, freight, seamen, navigation and commerce, shall use and enjoy the same privileges, liberties, and immunities at least, and have the like favor in all things, as well in the courts of justice as in all such things as relate either to commerce or to any other right whatever, which any foreign nation the most favored has, uses, and enjoys, or may hereafter have, use and enjoy.

ARTICLE VIII.

Their high mightinesses, the States of the Seven Provinces of Holland, shall endeavor by all means in their power to protect and defend all vessels, and the effects belonging to the subjects, people, or inhabitants of the said United States of America, or any of them, being in their ports, havens, or roads, or on the seas near to their countries, islands, cities, or towns, and to recover and cause to be restored to the right owners, their agents or attorneys, all such vessels and effects which shall be taken within their jurisdiction, and their ships of war, or any convoys sailing under their authority, shall, upon all occasions, take under their protection all vessels belonging to the subjects, people, or inhabitants of the United States of America, or any of them, or holding the same course, or going the same way, and shall defend such vessels as long as they hold the same course, or go the same way, against all attacks, force, and violence in the same manner as they ought to protect and defend vessels belonging to the subjects of their said high mightinesses, the States of the Seven United Provinces of Holland.

ARTICLE IX.

In like manner, the said United States of America, and their ships of war sailing under their authority, shall protect and defend, conformable to the tenor of the preceding article, all the vessels and effects belonging to the subjects of the said Seven United Provinces of Holland, and use all their endeavors to recover and cause to be restored to their right owners the said vessels and effects that shall have been taken within the jurisdiction of the said United States of America, or any of them.

ARTICLE X.

Their high mightinesses the States of the Seven United Provinces of Holland, will employ their good offices and interposition with the King or Emperor of Morocco or Fez, the Regency of Algiers, Tunis, or Tripoli, or with any of them, and also with every other prince, state, or power on the coast of Barbary, in Africa, and the subjects of the said king, emperor, states, and powers, and each of them, in order to provide as fully as possible for the benefit, conveniency, and safety of the said United States, and each of them, their subjects, people, and inhabitants, and their vessels and effects, against all violence, insult, attacks, or depredations, on the part of the said princes or states of Barbary or their subjects.

ARTICLE XI.

It shall be lawful and free for merchants and others, being subjects either of the said Seven United Provinces of Holland, or of the said United States of America, by will, or any other disposition, made either during the time of sickness, or at any other time before or at the point of death, to devise or give away to such person or persons as to them shall seem good their effects, merchandises, money, debts, or goods,

movable or immovable, which they have, or ought to have, at the time of their death, or at any time before, within the countries, islands, cities, towns, or dominions belonging to either of the said contracting parties; moreover, whether they die, having made their will, or intestate, their lawful heirs, executors, or administrators, residing in the dominions of either of the contracting parties or coming from any other part, although they be not naturalized, and without having the effect of this concession contested or impeded under pretext of any rights or prerogatives of provinces, cities, or private persons, shall freely and quietly receive and take possession of all the said goods and effects whatsoever, according to the laws of each country respectively; the wills and rights of entering upon the inheritances of persons dying intestate must be proved according to law in those places where each person may happen to die, as well by the subjects of one as of the other contracting party, any law, statute, edict, custom, ordinance, *droit d'aubaine*, or any other right whatsoever notwithstanding.

ARTICLE XII.

The goods and estates of the people and subjects of the one contracting party that shall die in the countries, islands, lands, cities, or towns of the other shall be preserved for the lawful heirs and successors of the deceased, the right of any third person always reserved, and such goods and effects, together with the papers, writings, and books of accounts of such deceased persons, shall be put into an inventory by the consul or other public minister of such party whose subject has so died, and put into the hands of two or three reputable merchants, that shall be named by such consul or public minister, to be kept for the heirs, executors, administrators, or creditors of the deceased; nor shall any judiciary whatever intermeddle therein until applied to according to the forms of law by such heir, executor, administrator, or creditor.

ARTICLE XIII.

It shall be lawful and free for the subjects of each party to employ such advocates, attorneys, notaries, solicitors or factors, as they shall think fit; to which end the said advocates and others above mentioned may be appointed by the ordinary judges if it be needful and the judges be thereunto required.

ARTICLE XIV.

Merchants, master of ships, owners, mariners, men of all kinds, ships and vessels, and all merchandises and goods in general and effects of one of the confederates or of the subjects thereof, shall not on any public or private account, by virtue of any general or special edict, be seized or detained in any of the countries, lands, islands, cities, towns, ports, havens, shores, or dominions whatsoever of the other confederate for public use, for warlike expeditions, or for any other cause, much less for the private use of any one shall they be detained by arrests, compelled by violence or under any color thereof, or in anywise molested or injured. Moreover, it shall be unlawful for the subjects of either party to take anything, or to extort it by force, from the subjects of the other party without the consent of the person to whom it belongs and it be paid for with ready money; which, however, is not to be understood of that detention and seizure which shall be made by the command and authority of justice and by the ordinary methods, on account of debt or crimes, in respect whereof the proceedings must be by way of law, according to the forms of justice.

ARTICLE XV.

It is further agreed and concluded that it shall be wholly free for all merchants, commanders of ships, and other subjects of their high mightinesses the States of the Seven United Provinces of Holland, in all places subject to the dominion and juris-

dition of the said United States of America, to manage their own business themselves, or to employ whomsoever they please to manage it for them; nor shall they be obliged to make use of any interpreter or broker, nor to pay them any salary or fees unless they choose to make use of them; moreover, masters of ships shall not be obliged, in loading or unloading their ships, to make use of those workmen that may be appointed by public authority for that purpose; but it shall be entirely free for them to load or unload their ships by themselves, or to make use of such persons in loading or unloading the same as they shall think fit, without paying any fees or salary to any other whomsoever; neither shall they be forced to unload any sort of merchandises, either into other ships, or to receive them into their own, or to wait for their being loaded longer than they please, and all and every the subjects, people, and inhabitants of the said United States of America shall reciprocally have and enjoy the same privileges and liberties in all places whatsoever subject to the dominion and jurisdiction of their high mightinesses the States of the Seven United Provinces of Holland.

ARTICLE XVI.

A dispute arising between any commander of the ships on either side and his seamen, in any port of the other party, concerning wages due to the said seamen or other civil causes, the magistrate of the place shall require no more from the person accused than that he give to the accuser a declaration in writing, witnessed by the magistrate, whereby he shall be bound to answer that matter before a competent judge in his own country, which being done, it shall not be lawful for the seamen to desert the ship, or to hinder the commander from prosecuting his voyage. It moreover shall be lawful for the merchants on both sides, in the places of their abode or elsewhere, to keep books of their accounts and affairs in any language or manner and on any paper they shall think fit, and to have an intercourse of letters in such language or idiom as they shall please, without any search or molestation whatever; but if it should happen to be necessary for them to produce their books of accounts for deciding any dispute or controversy, in such case they shall bring into court the entire books or writings, but so as that the judge or any other person may not have liberty to inspect any other articles in the said books than such as shall be necessary to verify and authenticate the matter in question, or such as shall be necessary to give credit to the said books; neither shall it be lawful, under any pretense, to take the said books or writings forcibly out of the hands of the owners, or to retain them, the case of bankruptcy only excepted.

ARTICLE XVII.

The merchant ships of either of the parties which shall be making into a port of the other party, and concerning whose voyage and the species of goods on board her there shall be any just grounds of suspicion, shall be obliged to exhibit, as well upon the high seas as in the ports and havens, not only her passports, but likewise certificates expressly showing that her goods are not of the number of those which have been prohibited as contraband.

ARTICLE XVIII.

If, by exhibiting the above said certificates, mentioning the particulars of the things on board, the other party should discover there are any of those sorts of goods which are prohibited and declared contraband by this treaty, and consigned for a port under the obedience of his enemies, it shall not be lawful to break up the hatches of such ship, or to open any chest, coffer, pack, cask, or any other vessel or package found therein, or to remove the smallest particle of the goods, whether such ship belongs to the subjects of their high mightinesses the States of the Seven United Provinces of Holland, or to the subjects or inhabitants of the said United States of America,

unless the loading be brought on shore in presence of the officers of the court of admiralty and an inventory thereof made; but there shall be no allowance to sell, exchange, or alienate the same in any manner until after that due and lawful process shall have been had against such prohibited goods, and the court of admiralty respectively shall, by a sentence pronounced, have confiscated the same; saving always as well the ship itself, as any other goods found therein, which, by this treaty, are to be esteemed free; neither may they be detained on pretense of their being, as it were, infected by the prohibited goods, much less shall they be confiscated as lawful prize; but if not the whole cargo, but only part thereof, shall consist of prohibited or contraband goods, and the commander of the ship shall be ready and willing to deliver them to the captor who has discovered them, in such case, the captor having received those goods, shall forthwith discharge the ship, and not hinder her, by any means, from freely prosecuting the voyage on which she was bound; but, in case the contraband merchandise can not be all received on board the vessel of the captor, then the captor may, notwithstanding the offer of delivering him the contraband goods, carry the vessel into the nearest port, agreeable to what is above directed.

ARTICLE XIX.

On the contrary, it is agreed that whatever shall be found to be laden by the subjects, people, or inhabitants of either party on any ship belonging to the enemy of the other, or to their subjects, the whole, although it be not of the sort of prohibited goods, may be confiscated in the same manner as if it belonged to the enemy himself, except such goods and merchandises as were put on board the ships before the declaration of war, or even after such declaration, if it so be that it was done without the knowledge of such declaration, so that the goods of the subjects and people of either party, whether they be of the nature of such as are prohibited or otherwise, which, as aforesaid, were put on board any ship belonging to an enemy before the war, or after the declaration of the same, without knowledge of it, shall noways be liable to confiscation, but shall well and truly be restored, without delay, to the proprietors demanding the same; but so as that, if the said merchandises be contraband, it shall not be anyways lawful to carry them afterwards to any ports belonging to the enemy. The two contracting parties, [agree] that the terms of six months being elapsed after the declaration of war, their respective subjects, people, and inhabitants, from whatever part of the world they come, shall not plead the ignorance mentioned in this article.

ARTICLE XX.

And that more effectual care may be taken for the security of the subjects and people of either party, that they do not suffer any injury by the men of war or privates of the other party, all the commanders of the ships of war and the armed vessels of the said States of the Seven United Provinces of Holland and of the said United States of America, and all their subjects and people, shall be forbid doing any injury or damage to the other side; and if they act to the contrary, they shall be punished, and shall moreover be bound to make satisfaction for all matter of damage, and the interest thereof, by reparation, under the pain and obligation of their persons and goods.

ARTICLE XXI.

All ships and merchandises, of what nature soever, which shall be rescued out of the hands of pirates or robbers on the high seas, shall be brought into some port of one or the other party, and shall be delivered into the custody of the officers of that port, in order to be restored entire to the true proprietor as soon as due and sufficient proof shall be made concerning the property thereof.

ARTICLE XXII.

It shall be lawful for the ships of war, privateers, or armed vessels of either party, freely to carry whithersoever they please the ships and goods taken from their enemies without being obliged to pay any duty to the officers of the admiralty or any other judges; nor shall such prizes be arrested or seized when they come to and enter the ports of either party; nor shall the searchers or other officers of those places search the same or make examination concerning the lawfulness of such prizes; but they may hoist sail at any time and depart and carry their prizes to the place expressed in their commissions, which the commanders of such ships of war, privateers, or armed vessels shall be obliged to show. On the contrary, no shelter nor refuge shall be given in their ports to such as shall have made prize of the subjects, people, or property of either of the parties; but if such shall come in, being forced by stress of weather or the danger of the seas, all proper means shall be vigorously used that they go out and retire from thence as soon as possible.

ARTICLE XXIII.

If any ships or vessels belonging to either of the parties, their subjects or people, shall, within the coasts or dominions of the other, stick upon the sands, or be wrecked, or suffer any other damage, all friendly assistance and relief shall be given to the persons shipwrecked, or such as shall be in danger thereof; and letters of safe conduct shall likewise be given to them for their free and quiet passage from thence, and the return of every one to their own country.

ARTICLE XXIV.

In case the subjects or people of either party, with their shipping, whether public and of war, or private and of merchants, be forced through stress of weather, pursuit of pirates or enemies, or any other urgent necessity for seeking shelter and harbor, to retreat and enter into any of the rivers, creeks, bays, havens, roads, ports, or shores belonging to the other party, they shall be received and treated with all humanity and kindness, and enjoy all friendly protection and help, and they shall be permitted to refresh and provide themselves, at reasonable rates, with victuals and all things needful for the sustenance of their persons or reparation of their ships and convenience of their voyage; and they shall noways be detained or hindered from returning out of the said ports or roads, but may remove and depart when and whither they please without any let or hindrance.

ARTICLE XXV.

For the better promoting of commerce of both sides, it is agreed that if a war should ever happen to break out between the said contracting parties, six months after the proclamation of war shall be allowed to the merchants, subjects, and people on either side, in countries, cities, and towns where they may happen to reside, in which time they themselves may retire, together with all their families, goods, merchandises, and effects, and carry them whithersoever they shall please, as likewise, at the same time, the selling and disposing of their goods, both movable and immovable, shall be allowed them freely and without any disturbance; and, in the mean time, their goods, effects, wares, and merchandises, and particularly their persons, shall not be detained or troubled by arrest or seizure, but rather, in the mean time, the subjects and people on each side shall have and enjoy good and speedy justice, so that during the said space of six months they may be able to recover their goods and effects, intrusted as well to the public as to private persons; and if any thing be taken from them, or any injury be done by either party, or the people or subjects on either side, full satisfaction shall be made for the same by the party committing such injury or doing such damage.

ARTICLE XXVI.

No subjects of their high mightinesses the States of the Seven United Provinces of Holland, shall apply for or take any commission or letter of marque for arming any ship or ships to act as privateers against the said United States of America, or any of them, or against the subjects, people, or inhabitants of the said United States, or any of them, from any prince or state with which the said United States of America shall happen to be at war; and if any person of either nation shall take such commission or letter of marque he shall be punished as a pirate.

ARTICLE XXVII.

It shall not be lawful for any foreign privateers, not belonging to the subjects of their high mightinesses the States of the Seven United Provinces of Holland, nor to the citizens of the said United States of America, which have commissions from any other prince or state in enmity with either of the contracting parties, to fit their ships in the ports of either the one or the other of the aforesaid parties, to sell what they have taken, or in any other manner whatsoever to exchange their ships, merchandises, or any other lading; neithershall they be allowed even to purchase victuals, except such as shall be necessary for their going to the next port of that prince or state from which they have commissions.

ARTICLE XXVIII.

It shall be lawful for all and singular the subjects of their high mightinesses the States of the Seven United Provinces of Holland, and the citizens, people, and inhabitants of the said United States of America, to sail with their ships with all manner of liberty and security, no distinction being made who are the proprietors of the merchandises laden therein, from any port to the places of those who now are or hereafter shall be at enmity with the said States of the Seven United Provinces of Holland or the said United States of America. It shall be also lawful for the subjects and citizens aforesaid to sail with the ships and merchandises aforementioned, and to trade with the same liberty and security from the places, ports, and havens of those who are enemies of either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy aforementioned to neutral places, but also from one place belonging to an enemy whether they be under the jurisdiction of one and the same power or under several. And it is hereby stipulated that free ships shall also give a freedom to goods, and that everything shall be deemed to be free and exempt which shall be found on board the ships belonging to the subjects of either of the confederates, although the whole lading, or any part thereof, should appertain to the enemies of either, contraband goods being always excepted. It is also agreed in like manner that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to both or either party, they are not to be taken out of that free ship unless they are soldiers and in the actual service of the enemies.

ARTICLE XXIX.

This liberty of navigation and commerce shall extend to all kinds of merchandises, excepting those only which are distinguished by the name of contraband or prohibited goods; and under this name of contraband or prohibited goods, shall be comprehended arms, great guns, bombs, with their fuses, and other things belonging to them, fireballs, gunpowder, match, cannon ball, pikes, swords, lances, spears, halberts, mortars, petards, grenades, saltpetre, muskets, musket ball, helmets, headpieces, breastplates, coats of mail, and the like kinds of arms proper for arming soldiers, musket rests, belts, horses, with their furniture, and all other warlike instruments whatever. These merchandises which follow shall not be reckoned among contraband or prohibited goods; that is to say, all sorts of cloth and all other manufactures

made of wool, flax, hemp, silk, cotton, or any other materials whatever. All kinds of wearing apparel, together with the species whereof they are used to be made, gold and silver, as well coined as uncoined, tin, iron, lead, copper, brass, as also wheat and barley, and every other kind of corn and pulse, tobacco, and likewise all manner of spices, salted and smoked flesh, salted fish, cheese and butter, beer, oils, wines, cider, sugars, syrup, and all sorts of salt, and in general all provisions which serve to the nourishment of mankind and the sustenance of life; furthermore, all kinds of cotton, hemp, flax, tar, pitch, turpentine, ropes, cables, sail, sailcloths, anchors, and any parts of anchors; also ships' masts, planks, boards, and beams of what trees soever, and all other things proper either for building or repairing ships; and all other goods whatsoever which have not been worked into the form of any instrument or thing prepared for war, by land or by sea, shall not be reputed contraband, much less such as have been already wrought and made up for any other use, all which shall be wholly reckoned among free goods, as likewise all other merchandises and things which are not comprehended or particularly mentioned in the foregoing enumeration of contraband goods, so that they may be transported and carried in the freest manner by the subjects and citizens of both confederates even to places belonging to an enemy, such towns and places being only excepted as are at that time besieged, blocked up, or invested.

ARTICLE XXX.

To the end that all manner of dissension and quarrels may be prevented and avoided on both sides, it is agreed, that in case either of the parties hereto should be engaged in war, the ships and vessels belonging to the subjects or citizens of the other ally must be furnished with sea letters, or passports, expressing the name, property, or bulk of the ship or vessel, as also the name, place, or habitation of the master or commander of the said ship or vessel, that it may appear thereby that the ship really and truly belongs to the subjects or citizens of one of the parties, which passport shall be made out and granted according to the form annexed to this treaty. They shall likewise be recalled every year, that is, if the ship or vessel happens to return home within the space of a year. It is likewise agreed that such ships or vessels being laden are to be provided not only with passports, as above mentioned, but also with certificates containing the several particulars of the cargo, the place from whence the ship sailed and whither she is bound, that so it may be known whether any forbidden or contraband goods be on board the same; which certificates shall be made out by the officers of the place whence the ship or vessel set sail in the accustomed form; and if any one shall think it fit or advisable to express in the said certificates the persons to whom the goods on board belong, he may freely do so.

ARTICLE XXXI.

The ships or vessels of the subjects or citizens of either of the parties coming upon any coasts belonging to either of the said confederates, but not willing to enter into port, or, being entered into port, and not willing to unload their cargoes or break bulk, shall not be obliged to give an account of their lading, unless they should be suspected on some manifest tokens of carrying to the enemy of the other ally any prohibited goods called contraband, and in case of such manifest suspicion, the said subjects and citizens of either of the parties shall be obliged to exhibit in the ports their passports and certificates in the manner before specified.

ARTICLE XXXII.

If the ships or vessels of the said subjects or people of either of the parties shall be met with sailing along the coasts, or on the high seas, by any ship of war, privateer, or armed vessel of the other party, the said ships of war, privateers, or armed vessels, for the avoiding of any disorder, shall remain out of cannon shot, and may send their boats on board the merchant ship which they shall so meet with, and may

enter her, to the number of two or three men only, to whom the master or commander of such ship or vessel shall exhibit his passport, concerning the property of the ship or vessel, made out according to the form annexed to this present treaty, and the ship or vessel, after such passport has been shown, shall be free and at liberty to pursue her voyage, so as it shall not be lawful to molest or search her in any manner to give her chase, or to force her to quit her intended course.

ARTICLE XXXIII.

It is also agreed that all goods when once put on board the ships or vessels of either party shall not be subject to any further visitation, but all visitation and search shall be made beforehand, and all prohibited goods shall be stopped on the spot, before the same be put on board the ships or vessels of the respective parties, their subjects or people; nor shall the person or goods of the subjects or people of their said high mightinesses of the States of the Seven United Provinces of Holland or the said United States of America be put under any arrest or molested by any other kind of embargo for that cause, but only the subject of that power by which the said goods have been or shall be prohibited, who shall have presumed to sell or alienate such sort of goods, may be duly punished for the offense according to the laws, customs, or ordinances of his own country.

ARTICLE XXXIV.

The two contracting parties grant to each other mutually the liberty of having each in the ports of the other consuls, vice-consuls, agents, and commissioners of their own appointing, whose functions shall be regulated by particular agreement, whenever either party chooses to make such appointment.

This is a rough plan of a treaty of commerce which, in consequence of the appointment and instructions of the honorable Mr. Engelbert Francis Van Berekel, counsellor pensionary of the city of Amsterdam, to me, John de Neufville, citizen of the said city of Amsterdam, I have perused, considered, and settled with William Lee, esq., commissioner of Congress, as a proper treaty of commerce to be entered into between their high mightinesses the States of the Seven United Provinces of Holland and the United States of North America.

This done at Aix-la-Chapelle the 4th of September, 1778.

JOHN DE NEUFVILLE.

Franklin, Lee, and Adams to Dumas.*

PASSY, October 16, 1778.

SIR: We have received yours of the 2d instant, with the declaration signed by M. Van Berekel, and his explanatory letter to you, which gave us much pleasure, as they show the good disposition of that respectable body the burgomasters of Amsterdam towards the United States of America, and their willingness, as far as may depend on them, to promote between the republic of the United Low Countries in Europe and the said States "a treaty of perpetual amity, containing reciprocal advantages with respect to commerce between the subjects of the two nations." As that body must be better acquainted than we with the method of doing public business in their country, and appear to be of the opinion that some previous steps can be taken by them which may facilitate and expedite so good a work when circumstances

* 1 Sparks' Dip. Rev. Corr., 348.

shall permit its coming under the consideration of their high mightinesses, we rely on their judgment, and hereby request they would take those steps, as explained in M. Van Berckel's letter.

And they may be assured that such a treaty *as is described* would, at this time, meet with no obstacles on the part of the United States of America, who have great esteem and respect for your nation, and that nothing will be wanting on our part to accomplish the end proposed. We would only remark, that the mentioning it in the declaration as a thing necessary to precede the conclusion of such a treaty "that the American independence should be acknowledged by the English" is not understood by us, who conceive there is no more occasion for such an acknowledgment before a treaty with Holland than there was before our treaty with France. And we apprehend that if that acknowledgment were really necessary *or waited for*, England *might* endeavor to make an advantage of it in the future treaty of pacification to obtain for it some privileges in commerce perhaps exclusive of Holland. We wish, therefore, that idea to be laid aside, and that no further mention may be made to us of England in this business.

We are, sir, your most obedient humble servants,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

Vergennes to Lee.*

[Translation.]

VERSAILLES, October 17, 1778.

SIR : I have received the letter you did me the honor to write to me the 12th instant. I have examined its contents with that attention which is due to the interest I take in everything that respects the prosperity of the United States, and it is my opinion that you will act prudently in suspending the measures you wish to take at the court of Madrid, with the view of ascertaining its principles and resolutions with regard to America.

I have the honor to be, etc.,

DE VERGENNES.

Sartine to the Commissioners at Paris.†

[Translation.]

MARLY, October 19, 1778.

GENTLEMEN : I have received the two letters with which you have honored me on the subject of the claims of Mr. Izard to goods captured in the *Nile*. I observed to you in my letter of the 17th instant

* 1 Sparks' Dip. Rev. Corr., 520

† *Ibid.*, 349.

that the government could only interfere when the laws were insufficient; and that its interposition would be misplaced when they were plain and precise. You must feel all the justice of this principle better than any person whatever, and I do not doubt that cases may occur in which you may yourselves appeal to it.

The capture of the *Nile* and of her cargo has been declared good. To order a particular restitution, and deprive the captors of property which they have acquired provisionally at least, would be an interference of the government with the laws, and would introduce a dangerous precedent in the proceedings established by his majesty relative to prizes. The more firmly you are convinced that the claims of Mr. Izard are conformable to the treaty, the more ready you should be to believe that they will be favorably received, and the expenses of a suit are inconsiderable. It is true that they might have been avoided if Mr. Izard's property had been shown before the first sentence, because then it would only have been necessary to prove the property, which seems to me indisputable; but in the present state of things I am sorry that it is impossible for him to avoid the necessary forms to which his majesty has subjected his allies as well as his own subjects.

I have the honor to be, etc.,

DE SARTINE.*

A. Lee to the Committee on Foreign Affairs.†

PARIS, October 19, 1778.

GENTLEMEN: Our affairs in Holland, both as to the treaty and loan, are in a promising state. The King of Naples and of Sicily has declared to us in form, by his ambassador here, that his ports are open to all vessels belonging to the United States. As the success of our cause gains ground daily in the opinion of mankind, I imagine this winter will produce us some more declared friends among the European powers.

The enemy appears to have no system about continuing the war or ending it on the terms which Congress has marked out to them. A lit-

* The above was thus communicated to Mr. Izard:

PASSY, October 22, 1778.

SIR: We have just now the honor of a letter from M. de Sartine, dated the 19th, which we suppose is his excellency's ultimatum concerning your effects taken in the *Nile*, and we therefore take the earliest opportunity to enclose you a copy of it, that you may be able to take your measures in consequence of it, in which we suppose there is no time to be lost.

We have the honor to be, with great respect, sir, yours, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 521.

tle success in privateering since the commencement of hostilities has given a momentary exhilaration to their depressed spirits; and the expectation of a speedy peace, which is artfully circulated by ministerial agents, keeps them from entirely sinking.

I find by a specimen which did not reach me until the goods were shipped that I have been most egregiously imposed upon in the fusils sent from Berlin. I mean to complain of it to the King of Prussia's minister, as it was the king's contractor that furnished them by his order. The impositions that we daily meet with are in consequence of an opinion prevailing among individuals that as we are not acknowledged they may do it with impunity.

No movements yet on the part of Spain. I have consulted Count de Vergennes on the propriety of my taking any measures to bring that court to a decision. His advice is in these words: "My opinion is that you will act prudently to suspend the advances which you desire to make to that court, with the view of ascertaining its principles and resolutions with regard to America."

Agreeably to this advice I shall wait the positive orders of Congress, unless some change of circumstances should make it evidently prudent and necessary for me to act before they arrive.

I beg my humble duty may be recommended to Congress, and have the honor to be, etc.

ARTHUR LEE.

Franklin to Hartley.*

PASSY, October 20, 1778.

DEAR SIR: I received your favor of the 9th instant, with a copy of the letter from the admiralty office relative to the proposed exchange of prisoners, in which the precise number of those we have here is desired. I can not at present give it you, they being disposed in different parts, and indeed it will always be difficult to be precise in it, the number continually changing by new prisoners brought in and some escaping. I think the list I formerly sent you was near two hundred,† since which sixty odd have been brought into France from the North Seas by Captain McNeil and some by others of our cruisers, and I just now hear that we have one hundred more in Spain, taken by one of our privateers in two New York packets, one going thither, the other returning, eighty-eight of which are officers of your army. I wish your lordships could have seen it well to exchange upon account, but though they may not think it safe trusting to us, we shall make no difficulty in trusting to them. And to expedite the exchange and save the time

* MSS. Dep. State; 6 Bigelow's Franklin, 216.

† N. B. (by Hartley).—In July there were about two hundred and fifty-eight and some mast men, according to the list then sent, which I transmitted to the admiralty in July last.

that obtaining a correct list would require we make this proposition: that if their lordships will send us over two hundred and fifty of our people we will deliver all we have in France. If the number we have falls short of the two hundred and fifty the cartel ship may take back as many of those she brings as the deficiency amounts to, delivering no more than she receives. If our number exceeds the two hundred and fifty we will deliver them all nevertheless, their lordships promising to send us immediately a number equal to the surplus. We would thus wish to commence, by this first advance, that mutual confidence which it would be for the happiness of mankind that nations should maintain honorably with each other, though engaged in war. I hope this will remove all obstructions to a speedy completion of the business, as the winter approaches and the poor prisoners on both sides may suffer in it extremely.

Congress.—Franklin's Commission and Instructions.*

OCTOBER 21, 1778.

The committee appointed to prepare a letter of credence notifying to his most Christian majesty the appointment of Benjamin Franklin, esq., to be the minister plenipotentiary of these States at the court of France, and also the draught of instructions to the said minister, brought in the draught of a letter which was agreed to.

"To our great, faithful, and beloved friend and ally Louis the Sixteenth, King of France and Navarre.

"GREAT, FAITHFUL, AND BELOVED FRIEND AND ALLY: The principles of equality and reciprocity on which you have entered into treaties with us give you an additional security for that good faith with which we shall observe them from motives of honor and of affection to your majesty. The distinguished part you have taken in the support of the liberties and independence of these States can not but inspire them with the most ardent wishes for the interest and the glory of France.

"We have nominated Benjamin Franklin, esq., to reside at your court in quality of our minister plenipotentiary, that he may give you more particular assurances of the grateful sentiments which you have excited in us and in each of the United States. We beseech you to give entire credit to everything which he shall deliver on our part, more especially when he shall assure you of the permanency of our friendship; and we pray God that he will keep your majesty, our great, faithful, and beloved friend and ally, in his most holy protection.

Done at Philada. the — day of October, 1778, by the Congress of North America, your good friends and allies.

Signed H. L., President.

Attest, C. T., Secretary.

* MSS. Dep. of State; printed secret journals of Congress, the latter being imperfect.

The same commissioner also brought in a draught of instructions, which were taken into consideration. A motion being made to strike out the word "protection" and instead thereof to insert "further assistance," and the yeas and nays being required by Mr. Gerry,

New Hampshire	Mr. Bartlett	Aye.
Massachusetts	{ Mr. S. Adams	No.
	{ Mr. Gerry	Aye. } 0.
	{ Mr. Lovell	No. }
	{ Mr. Holton	Aye. }
Rhode Island	Mr. Marchant	Aye.
Connecticut	{ Mr. Sherman	Aye. } 0.
	{ Mr. Ellsworth	No. }
New York	{ Mr. Duer	No. } No.
	{ Mr. Morris	No. }
New Jersey	{ Mr. Witherspoon	No. } No.
	{ Mr. Scudder	No. }
Pennsylvania	{ Mr. Roberdeau	No. } No.
	{ Mr. Clingan	No. }
Maryland	Mr. Henry	Aye. Aye.
Virginia	{ Mr. R. H. Lee	No. } No.
	{ Mr. M. Smith	No. }
	{ Mr. Griffin	No. }
North Carolina	{ Mr. Penn	No. } No.
	{ Mr. Harnett	No. }
	{ Mr. Williams	No. }
South Carolina	{ Mr. Laurens	No. } No.
	{ Mr. Drayton	No. }
	{ Mr. Hutson	No. }
Georgia	{ Mr. Walton	No. } No.
	{ Mr. Telfair	Aye. }
	{ Mr. Langworthy	No. }

So it passed in the negative.

A motion was then made to expunge the whole clause, to wit, "You are further to assure him that they consider this speedy aid not only as a testimony of his majesty's fidelity to the engagements he hath entered into, but as an earnest of that protection which they hope from his power and magnanimity and as a bond of gratitude to the union founded on mutual interest."

And on the question to agree to that clause, the yeas and nays being required by Mr. Marchant,

New Hampshire	Mr. Bartlett	Aye. Aye.
Massachusetts Bay	{ Mr. Adams	Aye. }
	{ Mr. Gerry	No. }
	{ Mr. Lovell	Aye. }
	{ Mr. Holton	No. }
Rhode Island	Mr. Marchant	No. No.
Connecticut	{ Mr. Sherman	No. } 0.
	{ Mr. Ellsworth	Aye. }
New York	{ Mr. Duer	Aye. } Aye.
	{ Mr. G. Morris	Aye. }
New Jersey	{ Mr. Witherspoon	Aye. } Aye.
	{ Mr. Scudder	Aye. }
Pennsylvania	{ Mr. Roberdeau	Aye. } Aye.
	{ Mr. Clingan	Aye. }
Maryland	Mr. Henry	

Virginia	Mr. R. H. Lee	Aye.	{ Aye. Aye. Aye.
	Mr. M. Smith	Aye.	
	Mr. Griffin	Aye.	
North Carolina.....	Mr. Penu	Aye.	{ Aye. Aye. Aye.
	Mr. Harnett	Aye.	
	Mr. Williams	Aye.	
South Carolina.....	Mr. Laurens	Aye.	{ Aye. Aye. Aye.
	Mr. Drayton	Aye.	
	Mr. Mathews	Aye.	
Georgia	Mr. Walton	Aye.	{ Aye. Aye. Aye.
	Mr. Telfair	Aye.	
	Mr. Langworthy	Aye.	

So it was resolved in the affirmative.*

Congress.—Presentation of Sword to La Fayette.†

OCTOBER 21, 1778.

Resolved, That the minister plenipotentiary of the United States of America at the court of Versailles be directed to cause an elegant sword, with proper devices, to be made and presented in the name of the United States to the Marquis de la Fayette.

A. Lee to Schulenberg.‡

CHAILLOT, October 21, 1778.

SIR: Your excellency had the goodness to write me on the 16th of January last in the following words: "As to the fusils and other arms of our manufacture, you will have liberty to purchase them, and the bankers Splitterber, who have charge of the fabrication of arms, will be instructed to deliver to you whatsoever may be demanded on your part. I subjoin a note of the prices, which are the same as the king pays, and add, that the fusils for the infantry may be had at a little lower price if regard is only had to the solidity of the work, without insisting on that exact uniformity which the king requires."

In consequence of this, I ordered eight hundred fusils for infantry, of the best kind, from the Messrs. Splitterber, and paid them their own price immediately. My intention was to arm a regiment, that the whole army might judge of the superiority of the Prussian model. The fusils were sent by Hamburg to Bordeaux, and were shipped from thence to America, a case having previously been opened and a fusil taken out and sent to me. By this specimen I find that the fusils, so far from the sort at present used in his Prussian Majesty's army, are directly the reverse, and of the worst and most ordinary workmanship that can be imagined. I do assure your excellency that they are such

* Here follow instructions as given *infra*, under date October 26, 1778.

† MSS. Dep. of State; secret journals of Congress.

‡ 1 Sparks' Dip. Rev. Corr., 522.

as our militia would reject, and appear to me and others, who are competent judges, to be old rejected muskets. The ramrod is not a quarter of an inch in diameter, and the lock holes that receive it narrow and of the same diameter above and below; so that the Prussian manner of charging is impracticable with these fusils. The observation I made a thousand times over of the fusils which the troops of Berlin used enables me to assure you that this is a most egregious imposition in being sent as the same, and I am sure they would not sell in Europe for 6 livres apiece.

My merchant at Bordeaux, the commercial agent of Congress, assures me that he took the fusil, from which I form my judgment, with his own hand out of one of the cases sent from Messrs. Splittergerber, through the house of Chapeaurouge at Hamburg.

I therefore entreat your excellency to oblige these men to do me justice. I am not so much offended at the imposition, for the money it has defrauded me of, as for the disgrace it will bring on the manufactures of Prussia, and the disappointment of the plan I had formed to introduce them into the United States. The mildest reparation which I conceive can be demanded of the Messrs. Splittergerber is that they send immediately to Bordeaux, at their own expense, eight hundred fusils, such as are ordered, that is, of the present Prussian form and the best workmanship. Those that they have sent I will order to be sold in America, and the net amount of what they bring shall be paid to them.

I have the honor to be, etc.,

ARTHUR LEE.

Vergennes to A. Lee.*

[Translation.]

VERSAILLES, October 24, 1778.

SIR: I have received, with great sensibility, the news which you have obtained by the way of Spain. It is a very great fatality that the unlucky gale of wind separated the squadrons just as Count d'Estaing had joined the English. He then had a superiority, which he must have lost if the Admirals Byron and Parker have joined Lord Howe. We are very impatient to receive some direct accounts from our vice-admiral. We flatter ourselves that the favorable winds will bring some dispatches from him. I request you, in the mean time, sir, to communicate whatever news you may receive through other channels.

I have the honor to be, etc.,

DE VERGENNES.

* 1 Sparks' Dip. Rev. Corr., 523.

Genet to Adams.*

À VERSAILLES, ce 24 Octobre 1778.

MONSIEUR : Je viens de traduire pour Monseigneur le Comte de Vergennes les divers papiers de la Gazette de New-York que vous trouverez dans le fragment ci-joint d'une gazette anglaise du 17 de ce mois. Il n'est pas douteux que le prochain Courier de l'Europe ne contienne une traduction de ces divers papiers. Toute la France y verra un des deux côtés de la question, c'est à dire, celui sous lequel les Commissaires anglais la présentent, sans voir en même temps ce que les Américains peuvent y répondre, parceque les gazettes américaines où seront sans doute les réponses convenables, ne pourront pas arriver en Europe aussitôt qu'il conviendroit.

Je prends la liberté de vous prier en conséquence, non pas d'y répondre en votre nom, mais de me fournir des notes d'après lesquelles je puisse, dans le No. 58 des *Affaires d'Angleterre* † qui paroîtra incessamment, combattre les assertions injurieuses des Commissaires anglais, et contre le Congrès et contre les membres ; notamment sur l'article des boites de cartouches des troupes du Général Burgoyne ; sur l'état où sont actuellement ces troupes à Boston, etc.

J'en ferai usage, comme de réflexions et observations venant d'un particulier ignoré, et au moins nos ennemis communs n'auront point l'avantage que l'Europe se remplisse de ses inculpations contre le Congrès et la France, sans que quelqu'un essaye de remettre les esprits sur la bonne voie.

Je suis avec respect, monsieur, etc.,

GENET.‡

P. S.—Plutôt vous pourrez m'envoyer vos observations, mieux ce sera.

* 7 J. Adams' Works, 59.

† The name of a periodical publication, then issued for the purposes indicated in the letter.

‡ This gentleman was *premier commis* in the office of interpreters, under the Count de Vergennes, or, in English phrase, an under Secretary of State in the office of foreign affairs. He spoke the English language with great propriety and facility ; was a man of letters and an excellent writer, a zealous advocate for America, and very friendly to all Americans. He conducted the *Mercure de France*, in which he published many little speculations for me, and indeed himself and his whole family were always very civil and friendly to me. He was the father of M. Genet, the minister plenipotentiary from the French Republic to the United States, who has been so much celebrated in this country. [Letters to the Boston Patriot, 1809.]

Laurens, President of Congress, to Franklin, Minister Plenipotentiary to the Court, of France.*

OCTOBER 26, 1778.

We, the Congress of the United States of North America, having thought it proper to appoint you their minister plenipotentiary to the court of his most Christian majesty, you shall in all things, according to the best of your knowledge and abilities, promote the interest and honor of the said States at that court, with a particular attention to the following instructions.†

* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 44.

† The instructions to Franklin, prepared at this period, were drafted by Gouverneur Morris, who, according to Sparks (1, Life of G. Morris, 188, 191), conferred on the subject with Gerard, then French minister at Philadelphia. At Gerard's suggestion Morris consented to strike out a clause in the instructions in which France was to be asked to unite in a plan for driving the British from the principal ports, so as to enable an American navy to be built up, and to weaken the British hold on the great arteries of trade. To this it was objected by Gerard that an American navy could not in time of peace be built up under two years, and then in war it would be liable at any time to destruction by the British naval force; and it was further objected that to dispossess the enemy of all the ports of the States would be impossible, and to drive them from one would only be to transfer their strength to another. The appeal for aid in the conquest of Canada remained in a modified form, though Gerard, in his conversation with Morris, let it be understood that France did not encourage this particular enterprise, nor feel herself bound by treaty to take any steps to further it. Gerard also let it be understood that France would be obliged to disown any aggressions by the United States upon Spain. "It seemed to him important" (according to Sparks' summary of a dispatch of Gerard to Vergennes of October 20, 1778) "for the United States to give some surety to that power by fixing certain limits which should not be passed. In answer to Mr. Morris' question as to the nature and extent of this surety, M. Gerard said that the renunciation of any design upon Pensacola, Mobile, and St. Augustine, and even of the navigation of the Mississippi, would perhaps be necessary to accomplish an object so important to both parties and insure the confidence and friendship of Spain. Mr. Morris replied that many of his colleagues thought it was time to pass a law *de coercendo imperio*; that to extend the territory of the United States farther to the south and west would be rather to weaken than confirm the Union, and that the poverty and vigor of the north were the best safeguards of the Republic. He said these same persons considered it for the interest of the Confederation that the navigation of the Mississippi as high up as the mouth of the Ohio should appertain exclusively to his catholic majesty, cause it would be the only means of retaining under dependence to the Republic the mass of population which would spring up between the Ohio and the lakes and in the eastern settlements of Virginia; that the inhabitants of these immense regions, whether English or Americans, having an outlet down the St. Lawrence on the one side and the Mississippi on the other, would be in a condition to domineer over the power of the United States, and even of Spain, and would in the end render themselves independent.

"Mr. Gerard asked if this was the general sense of Congress, for he knew several members who thought the navigation of the Mississippi should belong equally to the English and Americans. Mr. Morris answered that these topics had not been agitated in such a manner as to come to any positive result, but the prevalent feeling was that it would not be expedient to extend dominion to the south, and he believed the persons who wished to take possession of the Floridas had a scheme of ceding

1. You are immediately to assure his most Christain majesty that these States entertain the highest sense of his exertions in their favor, particularly by sending the respectable squadrou under the Count d'Estaing, which would probably have terminated the war in a speedy and honorable manner if unforeseen and unfortunate circumstances had not intervened.

You are further to assure him that they consider this speedy aid not only as a testimony of his majesty's fidelity to the engagements he has entered into, but as an earnest of that protection which they hope from his power and magnanimity, and as a bond of gratitude to the union, founded on mutual interest.

2. You shall by the earliest opportunity, and on every necessary occasion, assure the king and his ministers that neither the Congress nor any of the States they represent have at all swerved from their determination to be independent, made in July, 1776. But as the declaration was made in the face of the most powerful fleet and army which could have been expected to operate against them, and without any the slightest assurance of foreign aid, so, although in a defenseless situation, and harassed by the secret machinations and designs of intestine foes, they have, under the exertions of that force during those bloody campaigns, persevered in their determination to be free; and that they have been inflexible in this determination, notwithstanding the interruption of their commerce, the great sufferings they have experienced from the want of those things which it procured, and the unexampled barbarity of their enemies.

3. You are to give the most pointed and positive assurances that although the Congress are earnestly desirous of peace, as well to arrange their finances and recruit the exhausted state of their country, as to spare the further effusion of blood, yet they will faithfully perform their engagements, and afford every assistance in their power to prosecute the war for the great purposes of the alliance.

4. You shall endeavor to obtain the king's consent to expunge from the treaty of commerce the eleventh and twelfth articles, as inconsistent with that equality and reciprocity which form the best security to perpetuate the whole.

5. You are to exert yourself to procure the consent of the court of France that all American seamen who may be taken on board of British ships to Spain for a pecuniary consideration; and that some of those at least who were bent on securing the navigation of the Mississippi were interested in the new establishments in that quarter"—1 Sparks' Morris, 191.

As to the last point there must have been a misunderstanding on the part of Gerard. Whatever may have been Morris' own conviction of the impolicy of a southwestern extension of the United States, it is not likely that he would have charged those members who differed with him with being governed by interest in the new "establishments" in the southwest.

The action of Congress on these instructions is given *supra*, under date of Oct. 21, 1778.

ish vessels may, if they choose, be permitted to enter on board of American vessels; in return for which you are authorized to stipulate that all Frenchmen who may be taken on board of British vessels by vessels belonging to the United States shall be delivered up to persons appointed for that purpose by his most Christain majesty.

6. You are to suggest to the ministers of his most Christian majesty the advantage that would result from entering on board the ships of these States British seamen who may be made prisoners, thereby impairing the force of the enemy, and strengthening the hands of his ally.

7. You are also to suggest the fatal consequences which would follow to the commerce of the common enemy if, by confining the war to the European and Asiatic seas, the coasts of America could be so far freed from the British fleets as to furnish a safe asylum to the frigates and privateers of the allied nations and their prizes.

8. You shall constantly inculcate the certainty of ruining the British fisheries on the banks of Newfoundland, and consequently the British marine, by reducing Halifax and Quebec; since by that means they would be exposed to alarm and plunder, and deprived of the necessary supplies formerly drawn from America. The plan proposed to Congress for compassing these objects is herewith transmitted for your more particular instruction.*

9. You are to lay before the court the deranged state of our finances, together with the causes thereof; and show the necessity of placing them on a more respectable footing, in order to prosecute the war with vigor on the part of America. Observations on that subject are herewith transmitted, † and more particular instructions shall be sent whenever the necessary steps previous thereto shall have been taken.

10. You are, by every means in your power, to promote a perfect harmony, concord, and good understanding, not only between the allied powers, but also between and among their subjects, that the connection so favorably begun may be perpetuated.

11. You shall in all things take care not to make any engagements or stipulations on the part of America without the consent of America previously obtained.

We pray God to further you with his goodness in the several objects hereby recommended, and that he will have you in his holy keeping.

Done at Philadelphia the 26th day of October, 1778.

By the Congress:

H. LAURENS, *President.*

* For copy of this plan see *secret journals*, vol. 2, p. 111.

† See *secret journals*, vol. 2, p. 118.

Franklin to Hartley.*

PASSY, October 26, 1778.

MY DEAR FRIEND: I received yours, without date, containing an old Scotch song, full of natural sentiment and beautiful simplicity. I can not make an entire application of it to present circumstances, but taking it in parts, and changing persons, some of it is extremely apropos. First, Jennie may be supposed old England, and Jamie America. Jennie laments the loss of Jamie, and recollects with pain his love for her, his industry in business to promote her wealth and welfare, and her own ingratitude.

Young Jamie loved me weel,
And sought me for his bride,
But saving a'ne crown,
He had naithing beside,
To make the crown a pound, my Jamie ganged to sea,
And the crown and the pound were all for me.

Her grief for this separation is expressed very pathetically.

The ship was a wreck,
Why did na Jennie dee;
O, why was I spared
To cry, Wae is me!

There is no doubt that honest Jamie had still so much love for her as to pity her in his heart, though he might, at the same time, be not a little angry with her. Towards the conclusion we must change the persons, and let Jamie be old England, Jennie America. Then honest Jennie, having made a treaty of marriage with Gray, expresses her firm resolution of fidelity in a manner that does honor to her good sense and her virtue.

I may not think of Jamie,
For that would be a sin,
But I maun do my best,
A gude wife to be;
For auld Robin Gray
Is very kind to me.

You ask my sentiments on a truce for five or seven years, in which no mention should be made of that stumbling block to England, the independence of America.

I must tell you fairly and frankly that there can be no treaty of peace with us in which France is not included. But I think a treaty might be made between the three powers, in which England, *expressly* renouncing the dependence of America, seems no more necessary than her renouncing the title of King of France, which has always been claimed for her kings. Yet perhaps it would be better for England to act nobly and generously on the occasion, by granting more than she could at present be compelled to grant; make America easy on the score of

* 8 Sparks' Franklin, 299; 6 Bigelow's Franklin, 217.

old claims; cede all that remains in North America, and thus conciliate and strengthen a young power which she wishes to have a future and serviceable friend. I do not think England would be a loser by such a cession. She may hold her remaining possessions there, but not without a vast expense; and they would be occasions of constant jealousies, frequent quarrels, and renewed wars. The United States, continually growing stronger, will have them at last; and by the generous conduct above hinted at all the intermediate loss of blood and treasure might be spared, and solid lasting peace promoted. This seems to me good counsel, but I know it can not be followed.*

The friend you mention must always be welcome to me, with or without the cheeses, but I do not see how his coming hither could be of any use at present, unless in the quality of a plenipotentiary, to treat of a sincere peace between all parties.

Your commissioners are acting very indiscreetly in America. They first spoke very disrespectfully of our good ally. They have since called in question the power of Congress to treat with them, and have endeavored to begin a dispute about the detention of Burgoyne's troops, an affair which I conceive not to be within their commission. They are vainly trying by publications to excite the people against the Congress. Governor Johnstone has been attempting to bribe the members, and without the least regard to truth has asserted three propositions† which he says he will undertake to prove. The two first I *know* to be false, and I believe the third to be so. The Congress have refused to

*Mr. Hartley had written as follows: "I have told you before that my heart is always set upon peace. In the present circumstances between the two countries I can only think of the proposition to mediate. You may as easily imagine that the immediate and explicit acknowledgment of independence must be as grating to this country as I can that America will not finally depart from it. The answer of the Congress to the commissioners seems to imply this. What think you of suspending this point for five or seven years by a truce, and that nothing in the interim shall impeach their independence? If such a proposition as this would bring the parties together, I think there would not be wanting a member of Parliament to propose it to the House."

† Governor Johustone was one of the British commissioners for treating with Congress. These propositions were contained in a letter written by him to Francis Dana, a member of Congress, and dated at Philadelphia, June 10, 1778. "There are three facts," said he, "which I wish to assure you of. First, that Dr. Franklin, on the 28th of March last, in discussing the several articles we wish to make the basis of our treaty, was perfectly satisfied that they were beneficial to North America, and such as he should accept. Second, that this treaty with France was not the first treaty that France had *exacted*, and with which Mr. Simeon Deane had put to sea, but granted and acceded to after the sentiments of the people of Great Britain had fully changed, after the friends of America had gained their points for reconciliation, and solely with a view to disappoint the good effects of our endeavors. The third fact is, that Spain, unasked, had sent a formal message, disapproving of the conduct of France."

Subsequent events proved this third fact as unfounded as the two first. Although Spain did not accede to the treaty, yet she joined France the year following in the war against England, and continued it till the general peace. See letter to Joseph Reed, dated March 19, 1780.—Sparks.

treat with the commissioners while he continues one of them, and he has therefore resigned.

These gentlemen do not appear well qualified for their business. I think they will never *heal* the breach, but they may *widen* it.

I am, my very dear friend, yours, most affectionately,

B. FRANKLIN.

Sartine to the Commissioners at Paris.*

[Translation.]

MARLY, October 26, 1778.

GENTLEMEN: I have replied only to the first part of your letter of the 12th instant; the second also contains important matter. It would, doubtless, be desirable to restore to their country the American seamen who have been retained by the force of habit, or by compulsion, in the English service, and to gain the double advantage of increasing the strength of the Americans, while we destroy that of the enemy. But the means appear to me as difficult as to yourselves; and in the present state of things we can not flatter ourselves that we shall succeed in the attempt.

You request, at the least, that the citizens of the United States, taken since the commencement of hostilities, in the English service, should be surrendered to you. This general demand requires a serious attention, and I shall lay it before his majesty. With respect to the four prisoners whose liberation you more particularly request, it is with great pleasure that I transmit orders to Denant to place them at your disposal.

I have the honor to be, etc.,

DE SARTINE.

Dumas to the Commissioners at Paris.†

[Translation.]

HAGUE, October 27, 1778.

GENTLEMEN: I received your favor of the 16th last Saturday. It is precisely what I should have desired. The Grand Pensionary is highly pleased with it. I went the same day to read it to our friend and gave him a copy, attested by my signature. It gave him much pleasure; and he has repeatedly assured me that it would be extremely agreeable to the burgomasters of the city, whom he was eager to inform how you would answer to the measure he had engaged them to adopt, in pro-

* 1 Sparks' Dip. Rev. Corr., 349.

† Ibid., 351.

curing from them authority to make the declaration,* and write me the letter of which you have copies, and the duplicates of which are lodged in the city house. He urged me to assure you that the mention of England was not introduced with the design of making anything depend on the pleasure of that power, but merely to show the situation of the city, which, for the present, can only wish that the English may be prevented from making any further opposition to our mutual connection. In fine, he is now prepared to act, on his return, at a convenient opportunity.

The memorial of the merchants has been presented to their high mightinesses. Herewith I transmit that presented to the prince last Saturday. Our friend remitted it to me the same day, and I have thought it deserving of a translation for your inspection. He inquired anxiously for good news from America; and I replied that the situation of America was by no means critical, and that I was less anxious about it than about this republic.

M. de Welderen has sent the reply of Lord Suffolk to the representations of their high mightinesses. "The court of London," he says, "is willing to restore all the vessels seized, with costs and charges, and to pay for the naval stores, which it shall retain; but its ambassador will submit to their high mightinesses a proposition to alter the treaties on this point, and to consent to declare these articles contraband in future."

Fortunately, unanimity is necessary to grant this consent, and Amsterdam will not allow even the entering upon such a negotiation. Suffolk adds, as a proof of his king's moderation, "that he has not yet called for the aid which the republic is obliged by treaties to furnish him;" as if the republic had guarantied to England the monopoly of America. This is extraordinary. Three of us here believe that this letter was not written in England, and has only returned hither.

The secretary of their high mightinesses is very much piqued on account of the freedom with which the committee of merchants addressed him, who, by reason of his equivocal answer, accused him of being in the English interest, like the majority of the chief men here. It is said that it is truth only which is offensive.

I have finished the translation of the opinion of the city of Amsterdam, inserted in the acts of the republic September 8. I am preparing copies of it for you gentlemen and for Congress. When yours is finished I shall forward it, with the request that you will have two copies of it made by a skillful and exact French copyist, and send them to Congress as duplicates and triplicates of that which I shall transmit to it from this place; for on the one hand I consider this paper important and useful to the United States, both for the precise and authentic information which it affords relative to the present condition, political,

* See Van Berckel's declaration, *supra*, Sept. 23, 1778.

military, etc., of this republic, and as an example of the evils it has drawn upon itself for the last century by interfering too much with the imaginary balance of power and with the wars of the European States, thus imposing upon itself the burden of a stauding army, which has swallowed up its navy and subjected it to an imperious rival, etc.; and on the other hand, this long paper occupies my time, which is valuable to me, and fatigues my hand, which, unfortunately, is not steady. My translation has been approved by our friend. It would be well to have it translated into English also; and if you had a trauslator who understood Dutch, I could transmit you the original.

I am, gentlemen, etc.,

DUMAS.

Lee and Lovell, Committee of Foreign Affairs to Franklin.*

PHILADELPHIA, October 28, 1778.

SIR: As the Marquis de la Fayette will deliver this, we refer you to his conversation, in addition to the gazettes, for an account of the movements of the enemy. He will doubtless gain some further knowledge of them before he leaves Boston than we are yet possessed of. We shall speedily have opportunities of forwarding duplicates and triplicates of what he now carries, and upon any material event we shall dispatch a vessel occasionally. Enclosed with other papers is a resolve of Congress of the 22d, which we have officially sent to all the commissioners.

We must earnestly request that, as we shall have opportunities of frequently conveying to you gazettes and other species of intelligence, you would strive to communicate, in the speediest and best way, to the gentlemen at the other courts what they are alike interested to know, that they may prosecute in the best manner the service of these States abroad. An exact copy of your credentials is among the papers herewith sent.

We wish you success in your new commission, and are, with much regard, etc.,

R. H. LEE.
JAMES LOVELL.

Lee and Lovell, Committee of Foreign Affairs to Adams.†

PHILADELPHIA, October 28, 1778.

SIR: While we officially communicate to you the enclosed resolve, the foundation of which you can not remain a stranger to, we must entreat you to be assiduous in sending to those commissioners who have left France and gone to the courts for which they were respectively ap-

* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 46.

† *Ibid.*, 563; 7 John Adams' Works, 60.

pointed all the American intelligence, which you have greater opportunity than they of receiving from hence, particularly to Mr. Izard and Mr. William Lee. We do not often send more than one set of gazettes by one opportunity, and we hear of several vessels which have miscarried.

Congress must and will speedily determine upon the arrangement of their foreign affairs. This is become, so far as regards you, peculiarly necessary upon a new commission being sent to Dr. Franklin. In the mean time we hope you will exercise your whole extensive abilities on the subject of our finances. The doctor will communicate to you our situation in that regard.

To the gazettes and to conversation with the Marquis de la Fayette we must refer you for what relates to our enemies, and close with our most cordial wishes for your happiness.

Your affectionate friends,

R. H. LEE.

JAMES LOVELL.

Lee and Lovell, Committee of Foreign Affairs, to W. Lee.*

PHILADELPHIA, October 28, 1778.

SIR: The enclosed resolve, it is hoped, will be productive of singular advantage, so far as relates to you, who must depend greatly for American intelligence on your connections at Paris. Congress have been and are exceedingly loaded with business, and of late have met with some singular interruptions in the intended general arrangement of their foreign affairs, so that they have yet only decided in respect to Dr. Franklin, their minister plenipotentiary at the court of France.

Our first and most pressing business is the appreciation of our currency. This point accomplished, our enemies themselves will acknowledge their hopes of conquering us at an end. The British commissioners, sent on a foolish and wicked errand to America, are returning home completely disappointed; and there is reason, from appearances, to think that the land forces of Britain are gradually withdrawing from these States. It is probable that the Marquis de la Fayette, by whom this letter goes, will obtain in Boston further knowledge than we now have of the destination of a fleet lately departed from New York amounting to about one hundred and fifty sail.

We shall desire Mr. Adams to give you all possible information on the arrival of this packet, and shall soon dispatch other letters from this port.

With hearty prayers for your welfare, we are, sir, your affectionate friends,

R. H. LEE.

JAMES LOVELL.

*MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 624.

Lee and Lovell, Committee of Foreign Affairs, to Izard.*

PHILADELPHIA, October 28, 1778.

SIR: It is unnecessary to say anything to you about the particular foundation of the enclosed resolve. We hope you will experience good consequences from it in a point very interesting to you while in Tuscany. There, you certainly must depend greatly on our correspondents in France for American intelligence, which will be much more frequently sent from hence to them than to you. We shall enjoin it upon them to furnish you, and particularly upon Mr. Adams, while he remains at Paris.

Mr. A. Lee will communicate to you the purport of some papers which are sent to him, and in which you are jointly concerned. It is not possible for us at this time to send you extracts from them.

You will be pleased at knowing that the British commissioners are convinced of the folly of their errand to America and are returning home. It is probable that the British army will follow them soon, or at least go to the West Indies. Of this, however, the Marquis de la Fayette, the bearer, may gain fuller information before he sails from Boston. Though a pressing load of other business has till this time prevented Congress from taking up the whole consideration of their foreign affairs, yet that must be the speedy consequence of their appointment of Dr. Franklin, minister plenipotentiary at the court of France. All the papers of this committee are on their table, and we shall dispatch packets upon any material decision.

In the mean time we wish you every success, and are with much regard, sir, your friends and humble servants,

RICHARD H. LEE.
JAMES LOVELL.

Franklin, Lee, and Adams to Van Berckel.†

PASSY, October 29, 1778.

SIR: Upon maturely considering the letter and declaration which we have had the honor of receiving from you, we are of opinion that there are some propositions relative to that business which can only be properly discussed in a personal interview. We therefore wish that you, or a person authorized by you, would meet one of us at Aix-la-Chapelle, or any other place which you may judge more convenient for conducting this business with the most perfect secrecy.

Should this proposal meet with your approbation, you will have the goodness to apprise us of the time and place you think proper for the interview. It may be proper that we should inquire for one another,

* 1 Sparks' Dip. Rev. Corr., 699.

† Ibid., 353.

whenever we meet, under fictitious names, the fixing upon which we also wish to leave to you.

We shall be glad of an answer as soon as is convenient to you; and have the honor to be, with great respect, sir, your most obedient and most humble servants,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Franklin, Lee, and Adams to Vergennes.*

PASSY, October 29, 1778.

SIR: We have the honor to inform your excellency that we are ready to execute and exchange the declarations concerning the omission of the eleventh and twelfth articles of the treaty of commerce, and to request your excellency to appoint a day to wait on your excellency for that purpose.

We have the honor to be, with the greatest respect, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Vergennes to the Commissioners at Paris.†

[Translation.]

VERSAILLES, October 30, 1778.

GENTLEMEN: I have received the reply with which you honored me, regarding the arrangements to be made with the Barbary powers for the protection of the American flag in the Mediterranean. Before the king can make any efforts to forward your views in this respect I think it proper that you should be provided with full powers from Congress, and that you should be not only authorized to propose the presents which you may be expected to bestow, but also supplied with the necessary funds to satisfy these expectations. When all these preliminaries shall be complied with, you may rest assured, gentlemen, that the king will hasten to forward, as far as he is able, the wishes and views of Congress.

I have the honor to be, etc.,

DE VERGENNES.

* 1 Sparks' Dip. Rev. Corr., 353.

† *Ibid.*, 353. Another translation is found in MSS. vol. 105, p. 150, Letters to Joint Commissioners.

Franklin and Adams to Sartine.*

PASSY, October 30, 1778.

SIR: We have been honored with your letter of the 26th of October, and we thank your excellency for the prompt and generous manner in which you have given liberty to four of our countrymen who were among the prisoners at Denant. Such examples of benevolence can not fail to make a lasting impression on the American mind.

Since the receipt of your excellency's letter we have received another from the American prisoners at Brest, by which it appears that there are ten of them, from four of whom only we had received letters when we wrote before, the other six having written to us, but their letters miscarried. We enclose a copy of this last letter, and have the honor to request a similar indulgence to all the ten.

By a letter we received last night from L'Orient we have the pleasure to learn that three vessels bound to the coast of Brazil have been taken by his majesty's frigates, or by French cruisers, and sent into that port. It is very probable that the three masters of these vessels, and every one of their sailors, are Americans.

We are happy in this opportunity of communicating to your excellency some intelligence which we have been at some pains to collect, and have good reason to believe exactly true. The English last year carried on a very valuable whale fishery on the coasts of Brazil, off the river Plate, in South America, in the latitude 35° south, from thence to 40° , just on the edge of soundings, off and on, about the longitude 65° from London. They have this year about seventeen vessels in the fishery, which have all sailed in the months of September and October. All the officers and almost all the men belonging to those seventeen vessels are Americans, from Nantucket and Cape Cod, in Massachusetts, excepting two or three from Rhode Island, and perhaps one from Long Island. The names of the captains are Aaron Shefield, of Newport; Goldsmith and Richard Holmes, from Long Island; John Chadwick, Francis May, Reuben May, John Meader, Jonathan Meader, Elisha Clark, Benjamin Clark, William Ray, Paul Pease, Reuben Fitch, Zebedee Coffin, and another Coffin, all of Nantucket; John Loek, Cape Cod; Delano, Nantucket; Andrew Swain, Nantucket; William Ray, Nantucket. Four or five of these vessels go to Greenland; the fleet sails to Greenland the last of February or beginning of March.

There was published last year in the English newspapers, and the same imposture has been repeated this year, a letter from the lords of the admiralty to Dennis De Berdt, in Coleman street, informing him that a convoy should be appointed to the Brazil fleet. But this, we have certain information was a forgery, calculated merely to deceive American privateers, and that no convoy was appointed, or did go with that fleet, either last year or this.

* 1 Sparks' Dip. Rev. Corr., 354; 7 John Adams' Works, 63.

For the captivity of a fishery so entirely defenseless (for not one of the vessels has any arms), a single frigate, or privateer of twenty-four, or even twenty guns, would be quite sufficient. The beginning of December would be the best time to proceed from hence, because they would then find the whale vessels nearly loaded. The cargoes of these vessels, consisting of bone and oil, will be very valuable; and at least four hundred and fifty of the best kind of seamen would be taken out of the hands of the English and might be gained into the American service to act against the enemy. Most of the officers and men wish well to their country, and would gladly be in its service if they could be delivered from that they are engaged in. But whenever the English men-of-war or privateers have taken an American vessel, they have given to the whalers among their crews their choice, either to go on board a man-of-war and fight against their country, or to go into the whale fishery. So many have chosen the latter as to make up most of the crews of seventeen vessels.

We thought it proper to communicate this intelligence to your excellency, that if you found it compatible with his majesty's service to order a frigate from hence or from the West Indies to take from the English at once so profitable a branch of commerce and so valuable a nursery of seamen, you may have an opportunity of doing it; if not, no inconvenience will ensue.

We have the honor to be, etc.,

B. FRANKLIN.
JOHN ADAMS.*

Vergennes to the Commissioners at Paris.†

[Translation.]

VERSAILLES, October 31, 1778.

GENTLEMEN: You request that a day be fixed for the interchange of declarations relative to the omission of the eleventh and twelfth articles of the treaty of commerce. If next Monday, November 2, is convenient to you I should be glad to have the honor to receive you, and I flatter myself you will do me the honor to dine with me on that day.

I have the honor to be, etc.,

DE VERGENNES.

* Mr. Lee did not sign, but objected to the acknowledgment of giving up the American subjects captured in the enemy's vessels as being a favor.—SPARKS.

† 1 Sparks' Dip. Rev. Corr., 356.

Deane to the President of Congress.*

PHILADELPHIA, November 1, 1778.

SIR: I think it unnecessary to make an apology for sending you the enclosed estimates and reflections made on two of the most important and interesting subjects, and for desiring the same may be communicated to Congress. Should that honorable body approve of any or all of them I shall be very happy; and if they should not, they will excuse me for having given them this trouble when they reflect that the desire of throwing some light on these subjects has been my sole motive.

The providing for the redemption of our money and the establishment of a marine are objects which, in my view, far exceed in the magnitude and extent of their importance any that are at present under public consideration. They greatly depend on each other; and, permit me to say, all our future operations in a great degree depend on them. We can not pay the interest of any considerable loan without commerce, which can not be revived effectually without a marine force of our own, which may, I am confident, be formed on the enclosed plan and be ready in a short space of time to act with vigor. Great Britain has long had the empire of the ocean, and in consequence the whole world has been her tributary. Her own bad policy and the present war will deprive her of that empire. At this important crisis it depends on the measures taken by the United States whether they shall succeed Great Britain or not in this extensive dominion. Reason, observation, and experience authorize me to say there is not in the world any power so capable of it; and as the United States can never aim at foreign conquests, but simply to guard their own coasts and to protect the commerce of their subjects, their superiority at sea can never give just cause of jealousy or offense to any other nation. I am confident that a fleet of forty sail, to consist of twenty such large ships as I have described, and twenty frigates, will be more than equal to this purpose; and such a fleet may be got to sea in the course of the coming year if the materials wanted from Europe can be procured, which, if immediately applied for, I have not the least doubt of.

I have the honor to remain, etc.,

SILAS DEANE.

P. S.—I am still without the honor of any answer to my letter of the 7th ultimo.

NOVEMBER 13.

After writing the above my apprehension, lest I should be thought any way out of the usual course in communicating my sentiments to Congress, made me omit sending it to you with the enclosed; but the alarming intelligence which I received a day or two since, of the senti-

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 117, with verbal changes.

ments of my countrymen in different parts on the present situation of the credit of our money, the state of our finances and resources, and of the temper and disposition prevailing in consequence, has made me waive every personal consideration, and communicate this with the enclosed to Congress; and shall count it one of the happiest occurrences of my life if anything in my power will help to prevent that total loss of public as well as private credit which I am sorry to find begins to be almost universally apprehended; and I fear appearances at this time are in support of such apprehensions, which, though at bottom they may be ill founded, yet, if once generally prevailing, will produce consequences easily foreseen. I beg leave to refer to Colonel Duer for the substance of the intelligence I refer to, having communicated the letters I have received to him; for, as they contain many things merely personal, I could not lay them at large before Congress.

S. D.

PLAN FOR SINKING \$53,000,000 OF THE CONTINENTAL CURRENCY, AND TO ESTABLISH A BANK OF £1,500,000, OR \$6,666,666 $\frac{2}{3}$, IN EUROPE, FOR THE USE OF THE STATES OF AMERICA, AT THE EXPENSE OF \$40,000,000 IN SPECIE ONLY, OR OF BILLS UPON EUROPE EQUIVALENT.

First. Let a loan be obtained of twenty-five millions of dollars on account of the United States; the interest and necessary charges will probably amount to, and will not exceed, six per cent. per annum.

Second. Let a fund be established of two millions and a half annually clear of all charges of collecting and remittances, out of which let the interest of the loan be paid, and the surplus unalienably appropriated as a sinking fund to discharge the principal; the annual interest of twenty-five million dollars at six per cent. will be one million five hundred thousand dollars; the sinking fund, one million.

Third. The calculation which follows demonstrates that this fund of two millions and a half of dollars will in sixteen years pay off the principal and interest of the twenty-five millions borrowed, and leave a surplus of \$673,103 in the hands of the States, which may be supposed equivalent to the charge of managing the money and paying the loan in Europe.

Fourth. A fund of two millions and a half for sixteen years amounts to forty millions, but twenty-five millions at six per cent. simple interest will in that time amount to forty-nine millions, supposing the interest annually paid; hence it is evident that a sinking fund of one million operating on such a loan of twenty-five millions will make a saving of nine millions of dollars to the States out of what will otherwise be paid on the same capital on the plan of borrowing practised in our, and indeed in most other loan offices; or, in other words, would reduce the

interest from six to little more than three and a half per cent., which is demonstrated in the following calculations :

Fifth. Twenty-five millions of dollars may be computed in value equal to £5,625,000 sterling. Of this let one million and a half, or £1,620,000 sterling, be applied to the payment of debts contracted in Europe, contracted by the commissioners, for the discharge of which no particular mode has been stipulated and agreed upon, and for the establishing a bank or fund for other uses and benefit of the United States.

Sixth. As the sum of £125,000 sterling will be equal to the public debts already contracted in Europe, except those to the Farmers General and the house of Rodrique Hortalez & Co., there will remain, agreeable to the plan, one million and half sterling, or \$6,666,666 $\frac{2}{3}$, in the Congress' bank in Europe, and four millions sterling, or \$17,777,777 $\frac{2}{3}$, for the purpose of sinking the sum of fifty-three millions proposed.

Seventh. The present rate of exchange is from five to six for one ; it must happen that as bills are brought to market to a greater amount they will fall, but if it be considered that the ordinary demand of these States on Europe for goods exceeded four millions sterling annually in times of peace, that the demand at present and for two or three years to come, even if peace should take place immediately, must exceed the former usual demand ; that though the canceling and sinking of fifty-three millions of dollars will tend to appreciate the remainder in circulation, yet as there will still remain in circulation a greater nominal sum than the commerce of these States call for the appreciation will not be repaid ; and if it be further considered that the merchants of the United States are at present destitute of their usual means of remittance, having neither ships, specie, nor produce on hand—I say under these considerations it is improbable, if not impossible, consistent with the interest of individuals, that bills drawn on Europe for the sum of four millions sterling should be under three for one on an average.

Eighth. Four millions sterling, or \$17,777,777 $\frac{2}{3}$ at three for one, will amount to \$53,333,333 here. Allowing \$333,333 for the charge of drawing the bills, for other expenses and deficiencies unforeseen, and there will be, agreeable to the proposals in the plan, fifty-three millions of dollars of the continental currency paid off by the sales of those bills.

The benefits resulting from this plan, if realized, are numerous, indisputable, and obvious. As the sum proposed to be drawn for does not exceed the ordinary amount of importation before the war, it can not be presumed that this plan can produce any ill effects on commerce, especially if the Congress should think it wise and prudent to drop the merchants themselves and depend on individuals for their supplies. The capital difficulty is to obtain the loan. On this, as well as on the preceding plan, I will make a few observations after the following calculations, already referred to.

FIRST CALCULATION.

Years.	Produce of the sinking fund at the end of every year.	Total of the debts paid at the end of every year.
1.....	\$1,000,000 60,000	\$1,000,000
2.....	1,060,000 63,600	2,060,000
3.....	1,123,600 67,416	3,103,600
4.....	1,191,016 71,461	4,274,616
5.....	1,262,477 75,788	5,637,093
6.....	1,338,265 80,296	6,975,358
7.....	1,418,561 85,113	8,393,919
8.....	1,503,674 90,220	9,897,593
9.....	1,593,894 95,633	11,491,487
10.....	1,689,527 101,372	13,181,014
11.....	1,790,899 107,454	14,971,913
12.....	1,898,353 113,901	16,870,266
13.....	2,012,254 120,735	18,882,520
14.....	2,132,989 127,979	21,015,509
15.....	2,260,968 135,658	23,276,477
16.....	2,396,626 Prin'l loan ..	25,673,103
	Surplus	25,000,000
		673,103

EXPLANATION: The first column marks the years; the second the produce or amount of the sinking fund at the end of each year; the third shows how large a part of the capital has been paid off at the end of each year. The sum in the second column is found by adding to it annually the interest of that part of the capital paid off the preceding year, and the sum in the third by adding yearly the payments.

SECOND CALCULATION.

Two millions and a half of dollars annually collected and paid for sixteen years amount to (the whole sum paid)	\$40,000,000
But the surplus of \$673,103 deducted leaves \$39,326,897, the net sum applied to sink a principal of \$25,000,000 and the interest for sixteen years	673,103
	39,326,897
The annual interest of \$25,000,000 at 6 per cent. is \$1,500,000, which, at simple interest, in sixteen years is \$24,000,000	24,000,000
Add the principal	25,000,000
	49,000,000
Bring down	39,326,897
Surplus	9,673,103

By these calculations it is clearly demonstrated:

First. That a certain net annual revenue of two millions and a-half of dollars is sufficient for sinking the loan proposed of \$25,000,000 in sixteen years and to leave a surplus of \$673,103, after discharging both principal and interest. In the second place, that by this plan the public

will save the sum of \$9,673,103 more than if the same sum is borrowed in the usual way of simple interest, or, in other words, the money on this plan will be borrowed at three and one-half per cent. interest nearest, a sum well deserving the attention of the public at this and at every other time, and it is for that purpose the foregoing plan and calculations are submitted.

The only difficulties that can possibly occur in the carrying this plan and every part of it into execution are in the establishing such a fund as will be certain for raising the two millions and a-half of dollars annually, and in the next place in procuring the loan to be obtained. The first may be obviated with greater ease and certainty than the second. It can not in justice be concealed that the loan can not be obtained with the same ease now as it might have been six or seven months past, nor that the longer it is delayed the greater the difficulty will be. It is, however, attainable if applied for in season and in a proper manner. It is but too probable that if delayed many months longer it will not be obtained on any terms whatever. The war now kindling in Europe will probably in the course of another year become general, the consequence of which will be that the Emperor of Germany, the Empress of Russia, and some other powers—the two former in particular—who have improved the late peace to regulate their finances and to reduce and pay off their foreign debts, will on this change of affairs become borrowers afresh; in a word, there will be in Europe seven or eight or more powers under the necessity of borrowing, and not more than two or three, at the most, in a situation to lend; and when so many demands are made for money it will be very difficult to have ours preferred. To obtain it, therefore, requires immediate application, interest, and address, which thoughts, with the above plan, are respectfully submitted to the wisdom of Congress.

SILAS DEANE.

PROPOSALS FOR EQUIPPING SUCH A FLEET AS WILL BE SUFFICIENT TO DEFEND THE COASTS AND COMMERCE OF THE UNITED STATES AGAINST ANY FORCE WHICH GREAT BRITAIN WILL BE ABLE TO SEND TO AMERICA.

It is necessary to premise that the obtaining a loan and setting on foot a naval force are so connected with and dependent on each other, and so many important consequences depend on both, that I have preferred placing one directly after the other, that my ideas on these great subjects may be perceived at one view, rather than the placing them in any manner separate or disjointed from each other. Without a naval force sufficient to protect in some degree our commerce as it revives it will be very difficult, if not impossible, to pay either the principal or interest of the money we may borrow, and without some probably certain prospect of doing this it would hardly be honest to borrow at all. I have only to add that the following calculations are not founded on light and uncertain estimates, but on the most certain knowledge of the quantity of each of those articles necessary for the purpose. The prices are

fixed at what they were last season in Sweden and in the north of Europe. What I have ventured to say respecting ships of a new construction, carrying forty-two to forty-eight cannon, being equal to sixty-four and even seventy-four line-of battle ships, I am convinced of the truth of, not merely from my own observation and reasoning on the subject, but from the opportunities I have had of conversing with some of the most able and experienced constructors and commanders of ships in Europe as well as in America. France, as well as England, has already several ships of such a plan on the stocks, which is a full proof in what light they view this plan of building; but fortunately for these States, their old prejudices, as well as the opposition of commanders of large ships and a great number of men, to the changing them for ships of a less rate and fewer men, as well as of less pomp and appearance, will in a great measure prevent either of those nations from much immediate success in this plan for an improvement or reform.

First. A fleet consisting of twenty such ships as mentioned above, joined by twenty frigates from twenty-four to thirty-six guns, will be sufficient to guard this coast against any naval force which Great Britain or any other maritime power can spare to send against us. An American fleet opposing a foreign one on this coast will always have many very decisive circumstances in their favor, which are obvious at first view, particularly that of clean ships and healthy men against foul ships and sickly men or fatigued by a long voyage; and that of being able with ships of the proposed construction to enter harbors in case of storm or other accident, which larger ships can not.

Second. The twenty large ships and ten or a less number of the frigates, may be put on the stocks and built in America, and though the present price of labor is dear, yet were the undertakers to be paid in sterling bills or in specie the hulls or bodies of the ships may perhaps be had nearly at the same price as before the war; but suppose they cost more, yet if every other article be procured from Europe at the first cost and common charges, the ships complete will not amount to much more than such ships usually cost before the war in America, probably not so much.

Third. Suppose also that eight of the frigates be built in America and twelve purchased in Europe, to transport the materials from thence for the rest. In the first place, let a calculation be made what all these materials, allowing a large proportion, will amount to, and also for the purchase of the twelve frigates, or ships for frigates, which are to transport those materials over to America.

CALCULATION.

	Livres.
160,000 aulms of sail cloth	240,000
500,000 cwt. of anchors	125,000
3,200,000 cwt. of cordage	1,280,000
6,000,000 cwt. of cannon	960,000
10,000 fusees, fit for marine service	200,000
200 tons of powder	400,000

N. B.—As iron is scarce and dear in America, especially in the east and northward States, I suppose 300 tons of iron	livres..	160,000
Twelve ships fit for sea, capable of being armed as frigates of twenty-four or thirty-six guns, will, unarmed, cost 250,000 livres each, nearly		3,000,000
I suppose for shells, shot, cutlasses, spears, hand grenades, and a variety of small articles, too many to be enumerated in such a general calculation, the sum of		1,000,000
 Total amount		 7,365,000

Equal to \$1,672,000,* for which sum twelve of the ships will be purchased, and all the capital materials for the others. One million of livres, or \$200,000, is a large allowance for the small articles, and I know, from offers made me from Sweden, that the ships and other articles referred to may be purchased there at the above rates, if they have not risen since the month of March last.

Fourth. Of the proposed loan by the plan preceding there will remain, after sinking the fifty-three millions and the payment of the present debts, the sum of one million and a half sterling, or \$6,666,666 $\frac{2}{3}$, out of which deduct the above sum of \$1,672,000, and there remains the sum of \$4,994,666 $\frac{2}{3}$, or twenty-five millions of livres, nearest, for other purposes; a sum sufficient for many great purposes. The commissioners, to the time of my leaving France, had not in the whole ever received four millions of livres to enable them to procure all the supplies which they engaged and sent over.

Fifth. These stores, and ships to transport them, may be procured on the best terms in Sweden. Swedish ships are not so durable as those built in England, or of cedar and live oak, but I am well assured they greatly exceed those built of the common American oak. Sweden is ever so under the influence of France that there is no doubt but with proper management these ships and stores may be obtained, and a convoy for them, which, by sailing in June next and coming north about, might arrive at Boston in season, and with very little or no risk; but the fear of being too tedious prevents my being more particular.

Sixth. If it be agreeable to make the purchase of the materials enumerated, but not of the ships, as ships may be had to freight them over, it will amount to much the same.

Seventh. I will only add, that in time of peace, should any of these ships proposed be to be disposed of out of the continental, they will not be too large for many branches of the merchant service. If these proposals should appear just and practicable many less matters connected with them will require consideration, and as in the first, so in this plan, everything depends on immediate dispatch.

It has been objected that such a number of ships could not be manned; but if it is considered that there are now employed in privateering a greater number of men than are sufficient to man this pro-

*There seems to be a mistake here, if the author's mode of reckoning 5 livres to the dollar be adopted. The sum would then be \$1,473,000.—SPARKS.

posed fleet, it is easy to obviate this difficulty by offering such inducements as will infallibly lead both officers and men to prefer the public to any private service whatever. The United States have not in view private or partial, but public and extensive objects, the humbling our enemies, the defense of our coasts, and the laying the foundation of a great and flourishing marine. If the whole of the prize money be divided among the seamen and officers, or suppose three-fourths actually shared and the remainder appropriated for the building and support of a hospital for sick, wounded, and disabled seamen; such a resolution will be a generous one, and can not fail of answering the end. His most Christian majesty has generously done this for his officers and seamen serving in his marine by his ordinance of April last.

PHILADELPHIA, November 13, 1778.

P. S.—Apprehensive of being tedious when I wrote the above, I said nothing on the methods for paying the interest for the first two or three years until a certain revenue can be established for the payment of the interest and sinking fund annually as proposed—I say until a revenue can be established; for, considering the present depreciated state of our currency and the scarcity of specie, it can not be instantly expected. I take, therefore, the liberty of suggesting two methods, one of which will most certainly answer the purpose. The first is to borrow of France or Spain, the interest money for the first three years, by which, the interest punctually paid, a credit will become established and future loans may be made if wanted, and our commerce will be so far restored that it will not be difficult to raise specie equal to the payment. But should this method fail, there still remains a certain resource, for even if the plan for equipping a navy be adopted, yet there will still remain in bank, as will be seen by the calculation and estimate, a sum sufficient for more than three years' interest.

SILAS DEANE.

Franklin to Grand.*

PASSY, November 3, 1778.

We owe our thanks, sir, to the person who has transmitted to us, through you, the complaint we have received against Mr. Conyngham, and we can assure him anew that penetrated with respect for S. M. C., nothing pains us more than complaints on his part against our people. He will have seen, by the papers transmitted by you at the time from us to S. E. M., Count d'Aranda, the measures which Congress have taken to prevent any misconduct on the part of our privateers and seamen, and nothing better proves its solicitude in this regard than the proclamation it has just issued, of which the enclosed No. 2 is a copy, and to

* MSS. Dep. of State; 6 Bigelow's Franklin, 221.

which we join its resolution for the protection of the property of a ship although belonging to a power with which we have no sympathy.

But if one directs his attention to the atrocious proceedings of the English towards all nations without distinction, he will not be surprised that their pernicious example finds imitators among some individuals of a nation which they have so greatly outraged. But this does not excuse Conyngham. It is a crime in our eyes to have displeased a power for which Congress is penetrated with respect, and although justified in seizing, by way of reprisals, the English prize which Conyngham had brought to Teneriffe to be sent to Martinique, we will none the less inform Congress of the grounds for complaint which this privateer has given to his catholic majesty. This will certainly be a new motive for paying to his flag the homage and respect which it entertains for him. I hope from the wisdom as well as from the justice of S. M. that he will confide in this expression of our sentiments towards him and in turn will permit us to experience the effects of them.

I have, etc.,

B. FRANKLIN.*

A. Lee to the Committee of Foreign Affairs.[†]

PARIS, November 4, 1778.

GENTLEMEN: I wrote you on April the 14th; May the 9th, 20th, and 23d; June the 1st, 9th, 15th, 17th; July 6th, 16th, 20th, 28th, 29th; August 21st and 31st; September 9th and 30th; October 5th and 19th, none of which have been acknowledged or answered. I usually send triplicates of my letters and of all the papers enclosed.

Whether the British cabinet have yet determined upon relinquishing the war in America I have not been able to learn. This is certain, that they have ordered considerable quantities of clothing and provisions to be made ready for that quarter, which looks as if they intended their fleet and army should winter with you. From their situation at present, and that of Europe, it appears improbable that they can re-enforce, or even recruit, their army to any effect. Their naval force is so exactly balanced in Europe by that of France alone, that they can hardly venture to detach any more of their fleet against you. It seems, therefore, that you have before you the utmost force that you are likely to contend with.

It serves the purposes of the enemy to propagate reports of aid from Russia, sometimes in ships, sometimes in troops. As far as there is any certainty in political events, you may be assured they will have

[†] Translated from a French version transmitted by Count d'Aranda to Florida Blanca and now deposited in the *Archivo General de Reino* in Simancas.—Note by Mr. Bigelow. In the correspondence between Grantham (British minister at Madrid) and Weymouth (secretary of state), the exploits of Conyngham are constant topics of discussion.

[†] MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 523.

neither. The plan they adopt for Parliament, which will meet the 26th, will, I imagine, depend much on the representations of Lord Howe and Governor Johnstone, who are both arrived in England.

Should their fleet and army winter in America, it will be a capital object to intercept their provision fleets. For this purpose I shall obtain and transmit to you, from time to time, intelligence of their being collected at Cork, from which you may judge what time they may be expected on the coast.

The whale fishery, which the enemy have established on the coast of Brazil, and which they carry on by men from Nantucket, is likely to become very valuable; and being totally unprotected, it might be destroyed at one blow.

The instruments for abolishing the eleventh and twelfth articles are exchanged, and that matter entirely settled.

I have the honor to be, etc.,

ARTHUR LEE.

Dumas to the Commissioners at Paris.*

[Translation.]

HAUGE, November 4, 1778.

GENTLEMEN: The gentlemen from Amsterdam have returned with more strict instructions from their constituents. They will be followed, perhaps, by a third memorial, more forcible than the preceding. If the same evasions continue to be practised, Amsterdam will display other resources, which have not yet been communicated to me. The subject of the convoy will be discussed next week. Sir J. Yorke presented a memorial the day before yesterday more moderate in its tone, but equally insidious in reality, on behalf of his court. 1. It demands the appointment of commissioners, with whom he may consult to settle the intent of the treaties relative to the articles which it is desired to prohibit. 2. It declares that his court is desirous that the republic would not grant the convoys in question, as it can not consent to allow the above mentioned articles to pass. He will find formidable adversaries in Amsterdam, who are firmly resolved on an absolute negative on these two points. A certain great personage and the grand pensionary are already prepossessed on the subject. The irritation against the English gains also in some of the nobility.

The project, with which you are acquainted, is prepared with some changes and additions on the basis already known to you. It is in the hands of the burgomasters, who will examine the whole; after which a copy will be delivered to me, that I may also transmit one to you, to be examined by you in the same manner, and that your observations thereon may be communicated to them through me.

* 1 Sparks' Dip. Rev. Corr., 356.

I have been assured on behalf of the burgomasters that it is not their intention to leave our future connections dependent on Great Britain; on the contrary, it is their wish that in course of time their high mightinesses may adopt a better system of measures than is at present possible; this circumstance they have thought ought not to be concealed from you any more than their present situation, their wishes, and their expectation that you will be ready to concur in the steps which it shall be in their power to take towards realizing them.

On the whole, gentlemen, I can not give you a more clear idea of the whole matter than the following: We correspond with a minority, which has this advantage over that of England, that if this republic will not declare itself our friend it can not be our enemy, on account of the unanimity required by the constitution; this circumstance alone is of high importance, and ought to persuade us to assist and confirm that minority.

Every time I see our friend he begs me not to fail to communicate to him immediately any good news I may receive from America. He makes too good a use of such information to allow any delay on my part.

The two letters for which I am indebted to Mr. A. Lee have been inserted in the Leyden Gazette. The Courier of the Lower Rhine contains a fine eulogy on Mr. Joseph Reed, member of Congress; it is deserving of your notice. I wish I could send you the paper, but I have only one copy, which I am about to forward to Congress.

I am, etc.,

DUMAS.

Franklin, Lee, and Adams to the President of Congress.*

PASSY, November 7, 1778.

SIR: We have the honor to enclose a copy of the declaration concerning the eleventh and twelfth articles of the treaty of commerce, which we have received from his excellency the secretary of state for foreign affairs, in exchange for a similar one signed by us, in pursuance of the instructions of Congress.

We have also the honor to enclose copies of a correspondence with his excellency M. de Sartine, the secretary of state for the marine, concerning cases of recaptures, that Congress may, if they judge proper, take some resolution on this head. It seems to be equitable that the same rule should be observed by both nations.

We also enclose copies of a correspondence on the subject of negotiation with the Barbary States. We do not find ourselves authorized

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 359, with omissions and verbal changes; 7 John Adams' Works, 66.

to treat with those powers, as they are not in Europe, and indeed we are not furnished with funds for making them presents.

We have had the honor of a copy from the auditor-general, enclosing the form of bills of exchange to be drawn upon us for the interest due upon loan-office certificates, and acquainting us that this interest will amount to two millions and a half of livres annually. When it was proposed to pay the interest here we had no idea of so much being borrowed. We shall pay the most punctual obedience to these and all other orders of Congress as long as our funds shall last. But we are obliged to inform Congress that, expenses on prisoners being great and being drawn upon by the order of Congress from various quarters and receiving no funds from America, we suffer the utmost anxiety lest we should be obliged to protest bills. We have exerted ourselves to the utmost of our power to procure money, but hitherto with little success; and we beg that some supplies may be sent us as soon as possible. We are very sorry that we are not able to send to Congress those supplies of arms, ammunition, and clothing which they have ordered; but it is absolutely impossible, for the want of funds, and M. Beaumarchais has not yet informed us whether he will execute the agreement made for him with you or not.

We have the pleasure to inform Congress that Mr. Matthew Ridley, of Maryland, has made a present to the United States of a valuable manuscript upon naval affairs, which he has left with us. We shall take the first opportunity of a frigate to send it to Congress.

We enclose to Congress copies of a correspondence between the ambassador of the King of the Two Sicilies and us, which, as his majesty is the eldest son of the King of Spain, is considered as an event indicative of the good will of a greater power, although this is respectable.

It is of great importance to penetrate the councils of an enemy, in order to be prepared beforehand against his designs; we shall, therefore, be happy to advise Congress of the intentions of Great Britain as far as we conjecture.

We have every reason to believe that the hostility of the disposition of the British court has no other bounds but those of their power. Their threats, however, of large reinforcements and of Russian auxiliaries are without foundation. The interest of the King of Prussia and of the Empress Queen (who both choose at present to preserve decent terms with Great Britain) to prevent a close alliance between England and Russia we apprehend will prevent it. In short, we see no probability of England's forming any alliance against America in all Europe, or, indeed, against France; whereas, on the other side, from the astonishing preparations of Spain, the family compact, and other circumstances, and from the insolent tyranny of the English over the Dutch and their consequent resentment, which has shown itself in formidable remonstrances as well as advances towards a treaty with us, there is

reason to believe that if Great Britain perseveres in the war, both of these powers will at length be involved in it.

[The English the last year carried on a very valuable whale fishery on the coast of Brazil, off the River Plate, in South America, in the latitude of 35° south and from thence to 40° , just on the edge of soundings, off and on, about the longitude 65° from London. They have this year about seventeen vessels in this fishery, which have all sailed in the months of September and October.

All the officers and almost all the men belonging to these seventeen vessels are all Americans from Nantucket and Cape Cod, in the Massachusetts Bay, excepting two or three from Rhode Island and perhaps one from Long Island. The names of the captains are, Aaron Shefield, of Newport; — Goldsmith and Richard Holmes, from Long Island; John Shadwick, Francis May, Reuben May, John Meader, Jonathan Meader, Elias Clark, Benjamin Clark, William Ray, Paul Pease, Bunker Fitch, Reuben Fitch, Zebedda Coffin and another Coffin, all of Nantucket; John Lock, Cape Cod, Nantucket; Andrew Swaim, Nantucket; William Ray, Nantucket.

Four or five of these vessels go to Greenland. The fleet sails to Greenland the last of February or beginning of March.

There was published last year in the English newspapers (and the imposture has been repeated this year) a letter from the lords of the admiralty to Mr. Dennis de Berdt, in Coleman street, informing Mr. de Berdt that a convoy should be appointed to the Brazil fleet. But this we have certain information was a forgery, calculated merely to deceive American privateers, and that no convoy was appointed or did go with that fleet either last year or this.

For the destruction or captivity of a fishery* so entirely defenseless (for not one of the vessels has any arms) a single frigate or privateer of twenty-four or even twenty guns would be quite sufficient. The beginning of December would be the best time to proceed from hence, because they would then find the whaling vessels nearly laden. The cargoes of these vessels, consisting of bone and oil, will be very valuable, and at least four hundred and fifty of the best kind of seamen would be taken out of

*As to these fisheries, Burke's famous speech may be cited :

"Look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the trembling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis Straits; whilst we are looking for them beneath the arctic circle, we hear they have pierc'd into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of natural ambition, is but a stage and resting place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries, no climate that is not witness of their torts."

the hands of the English and might be gained into the American service to act against the enemy. Most of the officers and men wish well to their country, and would gladly be in its service if they could be delivered from that they are engaged in. But whenever the English men-of-war or privateers have taken an American vessel they have given to the whalers among the crews their choice either to go on board a man-of-war and fight against their country or to go into the whale fishery. So many have chosen the latter as to make up most of the crews of seventeen vessels.

We thought it proper to communicate this intelligence to the Congress, that if they find it proper to order a frigate to take from the English at once so profitable a branch of commerce and so valuable a nursery of seamen they may have an opportunity of doing it; if not, no inconvenience will ensue.]*

We had the honor to write to Congress on the 20th of July and the 17th of September, of which we have sent duplicates and triplicates, and to which we beg leave to refer. By this opportunity we shall send the newspapers which contain all the public intelligence.

P. S.—We enclose a number of notes of hand, forty-seven in number, which have been taken from our unhappy countrymen who escaped from England, to whom we have lent money, as they had no other way of subsistence.

We have the honor to be, etc.,

B. FRANKLIN.
A. LEE.
J. ADAMS.

Gerard to the President of Congress.†

[Translation.]

PHILADELPHIA, November 9, 1778.

SIR : The minister plenipotentiary of France has the honor to inform the Congress of the United States of North America that he has obtained on account of his majesty the cargo of two schooners; the one called the *Gentil*, George André, captain, and the other the *Adventurer*, commanded by Captain Joseph Taffier; these two vessels being now in the port of Petersburg, Va., and their cargoes delivered, consisting of from twelve to thirteen hundred barrels of flour and about fifty barrels of biscuit. The destination of these provisions requiring that they should depart immediately, the undersigned minister plenipotentiary requests Congress to be pleased to take the measures which it shall judge necessary in order that the departure of these two vessels with

* Passage in brackets omitted in Sparks' ed.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 566.

their cargoes may meet with no obstacle. An express will wait for the orders which it may be necessary to send into Virginia in relation to this object.

GERARD.

Whereupon Congress ordered that the President write to the governor of Virginia, explain to him the nature of this transaction, and the necessity of the vessels' immediate departure, and desire him to give orders accordingly.

NOVEMBER 18, 1778.

Two letters from the honorable the minister plenipotentiary of France were read, requesting a passage on board of one of the continental frigates for the Chevalier de Raymondis, captain of the *Cesar*, and that a vessel on board of which are a number of invalids may be taken under convoy of the frigate until she be safe at sea. These were referred to the marine committee with directions to comply with the request therein contained.

— — —

Dumas to the Commissioners at Paris.*

[Translation.]

HAEGUE, November 10, 1778.

GENTLEMEN: My last, of the 4th, was dispatched the 6th. Tomorrow will be an important day, and will have serious consequences if Amsterdam yields. You are already acquainted with the opinion which will be pronounced by the admiralty. The committee appointed to confer with the admiralty on this point have made a report, as follows:

1. The conference desired by Sir J. Yorke concerning the meaning of the treaties relative to naval stores shall be refused. 2. The restitution of the vessels seized shall be strongly insisted on. The admiralty shall make certain arrangements with the merchants of the country during these difficulties; that is, in plain English, shall suspend the convoys, in so far as relates to the above-mentioned materials. This addition spoils all the rest.

Your friend appeared to me rather embarrassed. He has sent for the most prudent persons on change to ask their advice concerning this addition, which he considers arrant folly. Another person very much displeased with this addition, says that if Amsterdam persists firmly in demanding the strict observance of the treaties and a perfect neutrality she can counteract this maneuver. Otherwise the servile submission of the nation to the lash of the English will expose it to that of the French also, who will deprive it of the privileges it has heretofore

* 1 Sparks' Dip. Rev. Corr., 361.

enjoyed in their country, and will seize its vessels, after the example of the English.

You may therefore expect in my next to hear of a vigorous and successful opposition on the part of the city or of a dreadful blow to the commerce and navigation of this country. It may then be said, *quid-
quid delirant Britanni, plectuntur Belgae.* It will be their own fault.

All this will probably be delayed somewhat, for our friend has told me that the provincial assembly will not rise this week. As I can not see him to-day, because he dines out, I have sent him a letter, of which a copy is enclosed.

I am, gentlemen, etc.,

DUMAS.

Franklin and Adams to Vergennes.*

PASSY, November 12, 1778.

SIR: The alliance between this kingdom and the United States of America is an event of such magnitude in their history, that we conceive it would be highly pleasing to our constituents to have the picture of his majesty, their illustrious ally, to be kept in some public place where the Congress sits.

We would carefully avoid everything which would be disagreeable, and would therefore submit this proposal to your excellency's consideration; and if you should be of opinion that no offense would be given, we request your excellency's kind offices to procure us, for the benefit of our constituents, the pictures of their majesties the king and queen that posterity, as well as those of the present generation, who may never have an opportunity of seeing those royal personages, may become acquainted with the nearest resemblance of them which the arts have devised.†

Franklin, Lee, and Adams to Sartine.‡

PASSY, November 12, 1778.

SIR: Last night we had a letter from Nantes, a copy of which we have the honor to enclose to your excellency.

The subject of it appears to us of great importance to the United States, as well as to the individuals, Frenchmen and Americans, who are interested in the vessels destined to America; also to a consider-

* 7 J. Adams' Works, 70.

† This letter may not have been sent. It does not appear to have been formally answered. On the 19th of December following a letter was addressed to Congress, signed by the king, notifying that body of the birth of his first child, a daughter. This produced a congratulatory answer from Congress on the 15th of June, 1779, terminating with a similar request for their majesties' portraits, which request was complied with, and the pictures afterwards sent.—7 J. Adam's Works, 70, note.

‡ 1 Sparks' Dip. Rev. Corr. 362.

able number of gentlemen and others who are going passengers in this fleet, and ultimately to the common cause.

It gives us great pleasure to find so large a number of vessels going out upon this occasion. Their cargoes are much wanted to enable our countrymen to sustain the war. We therefore most cheerfully join with the subscribers to the letter, who have also petitioned your excellency in requesting a large convoy to protect those ships quite home to America.

Upon this occasion we can not refrain from submitting to your excellency our opinion, that the more of the king's ships are sent to America, the more certainly France maintains a superiority of naval power in the American seas, the more likely it will be that she will have the advantage in the conduct of the war, because the French having the ports and the country, the provisions, the materials, and the artificers of America open to them, and the English being obliged to derive all these things from Europe, the former have a vast advantage over the latter in the conduct of the war in that quarter of the world, not to mention that the French ships, being newer and in better condition than the English, are better able to sustain the American seas.

Your excellency will excuse our suggesting one reflection, that whatever vessels of war are sent to America, they should be plentifully furnished with marine woolen clothes, especially blankets and gloves, or mittens, without which it is extremely difficult for the men to do their duty in the cold season upon that coast.

We are, etc.,

B. FRANKLIN.
ARTHUR LEE.
JOHN ADAMS.

Sartine to the Commissioners at Paris.*

[Translation.]

VERSAILLES, November 12, 1778.

GENTLEMEN: M. de Fleury † has represented to me that his only son embarked for America in 1778, where he served the United States in

* 1 Sparks' Dip. Rev. Corr., 362.

† Fleury is represented by Theodore Foster, with whom he lived at Providence, as "sociable, jocose, and very agreeable in conversation, of a free liberal turn of mind in matters of religion." * * * He served gallantly under Sullivan on Rhode Island, and for the brilliant part he took in the storming of Stony Point received the commendation of Wayne. Congress voted him thanks and a silver medal. This medal was probably never in his possession. It appears to have been lost, how and when are unknown, in Princeton, N. J., where it was found in 1850. De Fleury accompanied Hamilton in a visit to Estaing in 1778, to communicate Washington's views in regard to mutual operations. Washington speaks of him as an 'agreeable and valuable officer,' whose services he had received on numerous occasions."—Stone, Our French Allies, 36.

the army of General Washington with sufficient distinction to be raised to the rank of lieutenant-colonel, but having been made prisoner, and conducted to Fort St. Augustine, he has not yet been able to procure his exchange, and is in the most deplorable condition. The distinction which this young officer obtained in the service of the United States speaks in his favor; and I am persuaded, gentlemen, that you will attend to the request of M. de Fleury. I should be obliged to you if you would include him in the first exchange of prisoners.

I have the honor to be, etc.,

DE SARTINE.

Dumas to the Commissioners at Paris.*

[Translation.]

HAGUE, November 13, 1778.

GENTLEMEN: The situation of affairs here is becoming extremely critical. The resolution mentioned in my letter of the 10th, to deny convoy for naval stores, has not yet been formally adopted. It has been decided to determine this point next Wednesday by the majority of voices. The members from Amsterdam have protested against this, as contrary to the constitution, which requires, in such cases, unanimity, and have entered their protest in the book. They were, however, abandoned by all the other cities. M. Van Berckel sustained the attacks of the whole assembly with firmness; one might say that he had to encounter the whole province, and consequently the whole republic, except his own city. If the council upholds the regency and the merchants continue to oppose this measure, as in all probability they will, they must succeed in their righteous cause. If the council, contrary to all appearances, should yield, M. Van Berckel declares that he will never return, but will leave room for any one who wishes it to occupy his place.

The French ambassador, on his side, declared several days ago, to the principal officers of government, and through them to the pensionaries of the cities, that the king expects that the republic will cause the Dutch flag to be respected, and will protect, efficiently and promptly, her commerce, in conformity with the treaties of 1674, etc., between this country and England, on the faith of which repose the confidence in his flag; and if the republic does not answer to such reasonable expectations, and undertakes to modify any part of those treaties to the prejudice of commerce, the king is immovably fixed in his determination to deprive the nation of those advantages which his majesty, out of pure kindness, and without any obligation by treaty, has hitherto permitted it to enjoy in the ports of France.

I have communicated this to-day to the friends of Amsterdam, to be made known on change.

I shall set out in an hour for a place where my presence is considered necessary.

In the mean while, I am, etc.,

DUMAS.

Sartine to the Commissioners at Paris.*

[Translation.]

VERSAILLES, November 14, 1778.

GENTLEMEN: I have submitted to the king the reasons which might determine his majesty to set at liberty citizens of the United States prisoners in France. But he has wisely decided that this favor ought to be granted only to those who have been taken from American vessels and compelled to serve against their country. It will therefore be necessary for you, gentlemen, to cause a list to be made, certified by yourselves, which you will have the goodness to forward to me, that only the good and faithful subjects of the United States may enjoy the benefit of his majesty's favor.

I have the honor to be, etc.,

DE SARTINE.

Franklin, Lee, and Adams to Sartine.†

PASSY, November 15, 1778.

SIR: We have the honor of your excellency's letter of the 5th of this month, but as the memoir of the French surgeon, which your excellency proposed to transmit to us, was by some accident omitted to be enclosed in your letter, we are ignorant of his case, and consequently unable to inform your excellency whether it is in our power to afford him any relief. If your excellency will have the goodness to send us the memoir we will answer your letter without delay.

In the mean time we may acquaint your excellency that the United States have not adopted any precautions for sending succors to their subjects imprisoned in England. We have ventured, without orders or permission from the United States, to lend small sums of money to persons who have escaped from irons and dungeons in Great Britain, to bear their expenses to Nantes, L'Orient, and Bordeaux. But we have sent no succor to them while in England, except a small sum of money, put into the hands of Mr. Hartley, to be disposed of by him for the relief of such as should most want it.

* 1 Sparks' Dip. Rev. Corr., 364.

† *Ibid.*, 358.

We shall consider every Frenchman taken by the English on board of American vessels in the same light as if he was an American by birth, and entitled to the same assistance from us as Americans are in the same situation.

We have the honor to be, etc.,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.

A. Lee to the Committee of Foreign Affairs.*

PARIS, November 15, 1778.

GENTLEMEN: I am informed that it is determined in the cabinet of London not to recall their commissioners this winter. Governor Johnstone has been very graciously received; Lord Howe not. He conducts himself as one that is discontented, and has not been at court. It is given out that Johnstone declares he is possessed of impeachable matter against both the Howes.

I before mentioned that the enemy was preparing to send out provisions and clothing for their troops, as if it was intended they should remain in America. It is also certain that they have contracted for twelve thousand tons of shipping for the beginning of next March. They talk of sending over either ten thousand British, or twelve thousand Russians for the next campaign, which I am assured and believe they have determined to risk.

To sustain this, they affirm very confidently that a triple alliance, offensive and defensive, is concluded between Russia, Prussia, and Great Britain. This, I believe, is at best anticipation. That such an alliance will be the subject of this winter's negotiation is very probable; perhaps, too, it may succeed, and that Denmark and Sweden may join. But the good effects of it in favor of our enemy are very problematical. It will inevitably draw forth Spain, which, in our part of the question, is of much more weight than all the rest. And as to the general war, the league that would be necessarily formed against the other between the United States, the Empress, France, and Spain would be the most powerful. I do not count upon Portugal, Naples, Tuscany, and Sardinia, which yet, in all human probability, will join our confederacy. The temper of Holland is such that the junction of the United Provinces may well be expected, if England has not the wisdom to recede from her claims; and if she does, the Hollanders, having gained the points in trade which they contend for, will render their neutrality perhaps more favorable to us in matters of supply than an actual confederation.

These are the plans that must employ the negotiation of all Europe during this winter, which will produce either a general pacification or a

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 524.

general war. The latter is what our enemy is endeavoring to effect. In doing this, by the same fated perversion of understanding which has happily prevailed in all their measures, they are laboring to secure what they wish to subvert—the absolute independency of America; for there was never a political event more manifest and sure than that a general war must involve in it the independence of the United States as an inevitable consequence.

The obtaining money in Europe is doubtful, though not desperate. But this seems very probable, that if the irritation and ill humor in Holland is continued by England's persisting in the interruption of their trade, they will lend us money out of revenge; and if England retracts, the Dutch will send us such plentiful supplies, and take in return our produce, as in a great measure to compensate for the want of funds. The dispute seems to be in such a state that there is no medium. I am, therefore, in hopes that if the war should continue the distress of it will press with much more severity upon our enemies than on us.

I am informed that a Swedish ship, the *Henrica Sofia*, Captain P. Held, loaded with Spanish property, bound from London to Teneriffe, has been taken by Captain Cunningham in the *Rerenge*, which, being considered in Spain as a violence done to them, has given great offense. I have assured them that, upon its being made to appear in the admiralty court in America that the property is neutral, it will be restored, with such damages as are just. The court of Spain is so much offended at Captain Cunningham's conduct before this, that they write me orders have been sent to all their ports to prohibit his entrance. From the beginning to the end of this business of Cunningham, it has been so bad, that Congress only can correct it by punishing those who are concerned. It has cost the public more than 100,000 livres, and embroiled us both with the French and Spanish courts.*

The State of Virginia having sent for arms and artillery necessary for their defense, and some advances being absolutely necessary to obtain the supply, I venture to advance 50,000 livres out of the public funds in my hands. Had not this demand pressed so much, I certainly should not have done this without the permission of Congress. But as it is, and though I expect the reimbursement before the articles I have ordered for the public will call for payment, yet I think it my duty to communicate this transaction, and submit it to the censure of Congress. I expect a complete cargo is by this time shipped in my department, consisting of blankets, shoes, tent cloth, sail cloth, and rigging for a vessel of five hundred tons. This cargo, with what went before, should contain ten thousand blankets. I have ordered twenty

* This, so far as concerns France, was a mistake. The displeasure of the French minister with Cunningham was only put on to save appearances. (See *supra*, commissioners to committee, May 25, 1777; Deane to Morris, Aug. 23, 1777, with note; and so as to Spain, Deane to committee, etc., Oct. 8, Oct. 17, 1776.)

thousand more, which, with half of the freight I am obliged to advance for the above cargo, will more than employ all the funds in my hands.

I have the honor to be, etc.,

ARTHUR LEE.

NOVEMBER 18, 1778.

P. S.—Every hour's intelligence confirms the opinion that the enemy will not obtain any Russian auxiliaries.

Deane to the President of Congress.*

PHILADELPHIA, November 19, 1778.

SIR: I did myself the honor of writing to you on the 7th of October last, and having since received a letter from Mr. Williams, I send it enclosed, to show Congress that the moneys mentioned by Mr. A. Lee in his letter of the 1st of June last to have been received by that gentleman, have, in the opinion of two of the commissioners, been well laid out and faithfully accounted for. It gives me great pleasure to find that the clothes contracted for by Mons. Monthieu, Messrs. Holker, Sabbatier, Desprez, that gentleman, and others, are, on examination, approved of, and allowed to be the best of the kind, both as to the quality of the cloth and fashion they are made in, of any that have ever been imported. It is, indeed, a fortunate circumstance that out of near forty thousand suits so few have been intercepted. As Mr. A. Lee, in his letters, has insinuated that the contracts for these clothes were made entirely by me, and has charged me with great extravagance in them, I beg leave to inform Congress that these suits complete, and delivered on board, do not cost, on an average, thirty-six livres, or thirty-one shillings and six pence sterling the suit. I labored hard to send over shoes, stockings, and shirts in proportion, and so far as it was effected, the suit complete, with shoes, stockings, and shirt, does not amount in the whole to forty shillings sterling. These facts being known, I am content to take on myself the merit or demerit of furnishing these supplies.

I will make no comment on the dismission of a man of Mr. Williams' known abilities, integrity, and economy, and who did the business of the public for two per cent., to make room for the deputies of Mr. William Lee, who shares five per cent. with them, nor on the still more unaccountable conduct of Mr. A. Lee in ordering bills accepted by Messrs. Franklin and Adams to be protested. It gives me pain to be forced to lay these facts before Congress, but I can not, consistent with the duty I owe my country, nor with the justice due myself, permit them, and others of the like nature, to remain longer concealed from public view and examination.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 127, with omissions and verbal changes.

My letter of the 7th ultimo covered observations on Mr. Lee's and Mr. Izard's letter to Congress, to which I am still without the honor of any reply. Nothing would give me greater satisfaction than to learn by what part of my public conduct I have merited the neglect with which my letters and most respectful solicitations for months past to be heard before Congress have been treated. I confess that I once flattered myself the services I performed in procuring supplies and sending them to the United States at the most critical period of their affairs, and in assisting to bring forward and conclude the treaties, together with the honorable testimonials from the court of France whilst I had the honor of residing there, would have merited the approbation of Congress. And I now leave it with every person of sensibility and honor to imagine what must be my disappointment and chagrin to find myself obliged at last to leave America without being informed if exceptions have been taken to any part of my conduct, or what they may be. Thus situated, though I can but feel most sensibly, yet a consciousness of the integrity and zeal which have ever guided and animated my conduct, and a sense of the important services I have been so fortunate as to render my country, with the confidence I have that justice will yet be done me, support and will never permit me to forget or desert myself or my country whilst in my power to be useful.

I took the liberty, on the 12th instant, in writing to Congress, again to remind them of my being without any answer to my request, and having wrote already repeatedly, I will not trouble that honorable body further on the subject of my being heard, agreeable to what by their resolutions which recalled me, and since I hoped for and had reason to expect; but praying them to accept my sincere thanks for the honor they did me in appointing me their commercial and political agent in Europe, and afterwards one of their commissioners to the court of France, by which I have had an opportunity of rendering my country important services, I have only to repeat my former request, that orders may be given to their minister at the court of France to have my accounts examined and settled immediately on my return thither, referring to my letter of the 7th, on that head and entreating for a speedy resolution on the subject.

I have the honor to remain, with the most profound respect, etc.,
SILAS DEANE.

P. S.—Since writing the above I am informed that letters have been received from the honorable Mr. Lee, and read in Congress, which mention certain proceedings of Mr. Hodge, and that a sum of money had been paid Mr. S. Wharton by my order without the knowledge of the commissioners, and which I left unexplained and unaccounted for. I will only say here, that any insinuation of this kind is totally groundless, and makes me feel most sensibly what I suffer by not being permitted to be heard before Congress, which I still solicit for.

S. D.

Gerard to the President of Congress.*

[Translation.]

PHILADELPHIA, November 20, 1778.

SIR: The minister of France thinks it his duty to have the honor of communicating to the President of Congress the reflection that, according to ordinary rules, treaties are not published until the respective ratifications have been exchanged, and that so far as he is informed, that of the king has not arrived. If Congress, however, has motives to proceed immediately to this publication, the minister requests it not to be stopped by his reflection; the wisdom of their views deserving all preference over what can only be regarded as a mere formality.

GERARD.

Dumas to the Commissioners at Paris.†

[Translation.]

HAGUE, November 20, 1778.

GENTLEMEN: I returned here last Wednesday morning, and in the afternoon was informed by our friend that the despotic act which I announced to you in my last of the 13th of November, was passed in the assembly of the province after a session of three hours; and that the preamble, with the addition of which I gave you an account in my letter of the 10th, was adopted by a majority. The city of Amsterdam has, in consequence, entered a protest against this resolution, declaring it null, as having been adopted contrary to the forms required by the constitution of the state, which prescribes unanimity in such cases. The injurious consequences which may result to the city are also exposed.

Sir J. Yorke dispatched a messenger with all haste to England with the news of the triumph of his party. His court will not fail to boast of this success in Parliament and in the journals; it appears to have been desired for this purpose. No mention will be made of the protest, which, in reality, converts this success into smoke, which will soon be dissipated; for the members from the great city declare that if the protest is not printed with the resolution they will have it printed in the city; so that at least this nation shall not be deceived. It is easy to foresee two important consequences resulting from this measure, one, the blow predicted in my letter of the 10th, the other the close of a famous banking establishment, without which the others can not stand.

I might enter more into details; but besides that I have not time, I am afraid to trust them to paper. I will only add that to-morrow morning the members from the great city will depart, and with them all the glory of Belgium. The others are ashamed of their own work,

* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 567.

† 1 Sparks' Dip. Rev. Corr., 365.

dare not boast of it, and hang down their heads. It has even been attempted to circulate the report that the famous resolution was adopted unanimously and in conformity with the wishes of the great city.

You can not imagine, gentlemen, how eager are your enemies in the present situation of affairs to propagate reports of dissensions and divisions between the Americans and French and among the Americans themselves; their object is to animate their own party and discourage their opponents. We may despise them and laugh at them, but your best friends are afflicted that we receive no news from America by the way of France. I pray God that we may soon have some and of the most favorable character.

I am, gentlemen, etc.,

DUMAS.

A. Lee to Committee of Correspondence.*

NOVEMBER 25, 1778.

GENTLEMEN: I am informed that a considerable fleet of provision ships are to sail from Cork for New York the end of this or the beginning of next month. They will have one frigate for their convoy, assisted by two or three armed ships. This news I fear will not reach you in time to have these ships intercepted on the coast, which would be a blow upon the enemy. Nothing new but the meeting of Parliament, which will be on the 26th, must open something.

I have the honor to be, with the greatest respect, gentlemen, your most obedient and humble servant,

ARTHUR LEE.

Franklin to Hartley.†

PASSY, November 29, 1778.

DEAR SIR: I have heard nothing from you lately concerning the exchange of prisoners. Is that affair dropped? Winter is coming on apace. I understand that your charitable contribution is near expended and not likely to be renewed. Many of those unfortunate people must suffer greatly. I wish to have a line from you informing me what may be depended on.

I am, etc.,

B. FRANKLIN.

* MSS. Dep. of State.

† MSS. Dep. of State; 6 Bigelow's Franklin, 222.

Deane to the President of Congress.

PHILADELPHIA, November 30, 1778.

SIR: I am still so unhappy as to be without the honor of any reply to the several letters I have wrote through you to Congress, praying that honorable body to favor me with an audience, and that they would give the necessary orders to their ministers or commissioners at the court of Versailles to examine, adjust, and settle my accounts immediately on my return to France. I take liberty now to add to what I have already wrote, that the hopes of being favored with an audience have already occasioned my losing several very agreeable and safe opportunities of returning until the season has become as pressing as the business which calls me back, and obliges me most earnestly to entreat the attention of Congress to my situation and requests.

I have the honor to remain, etc.,

SILAS DEANE.

Gerard to Congress.[†]

PHILADELPHIA, December 2, 1778.

The President communicated to Congress the following unsigned note from the minister of France:

"It is thought proper to inform persons who have business in France that all judicial and extra-judicial acts, powers of attorney, etc., which are destined to be sent thither, ought to be invested with the authorisation of the minister plenipotentiary or the consuls of this crown established in the different States of America. By means of this formality all the acts valid in America will have the same validity in France in all cases."

DECEMBER 4.

The President communicated to Congress another unsigned note from the minister of France relative to a plan he had proposed for discharging the debt due to Roderique Hortalez & Co., namely, by furnishing the French fleet in America with provisions, for the amount of which the court would procure the United States a credit with Hortalez & Co. The note was delivered in English, in the words following:

"Leave is begged from the honorable the President of Congress to submit to him some reflections upon a late conversation. The insinuation made was founded upon the consideration that the method proposed would be more simple, more easy, and more convenient than any other, and that, besides the troubles, the expenses, the dangers of the sea, and of the enemy, the spoiling of the cargoes, etc., would be avoided.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 129, with verbal changes.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 568.

"The manner of executing this plan, if adopted, would be very simple, and attended with no inconveniency. The court shall take upon itself to satisfy the furnisher of the articles in question, and Congress shall receive the discharge for ready money in their accounts with the court."

Adams to the President of Congress.*

PASSY, December 3, 1778.

SIR: I have the honor to enclose to Congress the latest newspapers. As they contain the speech at the opening of Parliament and some of the debates in both Houses upon the addresses in answer to it, they are of very great importance. I learn by some newspapers and private letters that an opinion has been prevalent in America that the enemy intended to withdraw from the United States; and considering the cruel devastations of the war, and the unfortunate situation of our finances, nothing would give me so much joy as to see reasons to concur in that opinion, and to furnish Congress with intelligence in support of it. But I am sorry to say the reverse is too apparent. We may call it obstinacy or blindness, if we will; but such is the state of parties in England, so deep would be the disgrace, and perhaps so great the personal danger to those who have commenced and prosecuted this war, that they can not but persevere in it at every hazard; and nothing is clearer in my mind than that they never will quit the United States until they are either driven or starved out of them. I hope, therefore, Congress will excuse me for suggesting that there is but one course for us to take, which is to concert every measure and exert every nerve for the total destruction of the British power within the United States.

I have the honor to be, etc.,

JOHN ADAMS.

Dumas to the Committee of Foreign Affairs.†

THE HAGUE, December 3, 1778.

GENTLEMEN: The act of despotism which I announced to you in my letter of the 16th ‡ was consummated on the 18th of November. The resolution adopted by the majority had a specious design, to wit, to refuse the commissaries, which the English ambassador demanded, to agree that the article of naval stores, legalized by the treaty of 1674, should be for the future contraband; but, in the end, all was spoiled by the refusal of convoy to ships carrying these articles to France.

* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 564; 7 John Adams' Works, 70.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 246.

‡ Missing.

But Amsterdam has inserted in the acts a formal protest, by which this resolution is declared null, by its having been adopted in a manner contrary to the constitution, which requires unanimity in this case. The protest indicates, at the same time, the consequences which this affair may have. They may be very serious if they push the city to extremities. The first will be the closing of the public chest, as far as concerns her contribution towards the expenses of the confederation. This city alone pays about one-quarter of all the expenses of the republic, and if they should push things to extremity she may ask succors of France, who certainly would not suffer her to be oppressed. The ministerial gazettes in England announce this to their nation as a great success. *Qui rult decipi decipiatur.* On the other side, France threatens to seize in her turn English property on board of Dutch ships, and to deprive these of the favors they enjoy in her ports, if the republic does not cause her flag to be respected by the English, according to treaties.

On the 15th the states of the province will be reassembled.

I have the honor to be, etc.,

DUMAS.

Deane to the President of Congress.*

FRIDAY, December 4, 1778.

SIR: I have now to acknowledge your favors of 10 o'clock last evening, and to thank you for the attention paid to my last letter to you. Previous to receiving the intimation you have given me, "that Congress had resolved to take into consideration their foreign affairs, and that such branches as I had been particularly concerned in would in due course become subjects of deliberation," I had prepared to leave this city, and had made my arrangements accordingly, which it will not be in my power to dispense with for any time. I take the liberty of mentioning this, as I do not find in the intimation you have given me of the resolution of Congress any time fixed for my attendance, and I take the liberty of repeating what I have before had the honor of writing to you, that my detention is extremely prejudicial to my private affairs, and, so far as I am able to judge, in some degree so to those of the public which I have had the honor to be intrusted with, some of which require my presence at the settlement of them, as well on account of my own reputation as for the interest of the United States.†

I have the honor to be, with much respect, etc.,

SILAS DEANE.

* MSS. Dep. of State, 1 Sparks' Dip. Rev. Corr., 129.

† On the 5th of December Mr. Deane published an article in the Pennsylvania Gazette, reflecting on the conduct of some of the commissioners in Europe. This publication gave much offense to Messrs. Arthur Lee and William Lee, and Mr. Izard, as will be seen hereafter in their letters to Congress.—SPARKS.

A. Lee to Gardoqui.*

PARIS, December 4, 1778.

DEAR SIR: I wrote you on the 10th ultimo and have not been favored with anything from you since. Upon a supposition that I should have funds sufficient in my hands, I desired your house to collect twenty or thirty thousand blankets, which I intend to pay for without troubling our friends with you. But I find the clothing, shoes, and stockings, which I was obliged to send from hence, have consumed most part of the money remitted to me, so that I shall be unable to pay for those blankets. Yet they are an article most essential to our army, both in winter and summer. I must therefore beg you to beseech our friends to extend their order to them, and have them shipped as fast as they are collected by your house, *on the old plan*.

In consequence of what passed when we were at Burgos and Vittoria, I wrote that our vessels would be received at the Havana as those of the most favored nation. It is desired to know whether, under this, the produce of the States may be carried thither for sale, and prizes sold there or in any other of his catholic majesty's ports in America, I shall be much obliged to you to get me an explanation on this head, as we would wish to avoid giving embarrassment or offense by extending the liberty further than is meant. The ports being open in this manner would be certainly beneficial to both; but I am no judge how far it would be consistent with the policy of your commercial regulations.

Count d'Estaing's fleet was refitted, and ready to sail from Boston the 3d of November. His officers and sailors have behaved there with the greatest decorum, and rendered themselves exceedingly agreeable to the inhabitants. The fray of which our enemies make so much was entirely accidental, and owing to some privateersmen wanting to get biscuit for a cruise. The readiness of our enemies to hope from every little incident a dissolution of our foreign connections serves only to show how much they apprehend from a continuance of them.

There is no certain intelligence of the enemy's fleet or army.

I have the honor to be, etc.,

ARTHUR LEE.

Adams to Gerry.[†]

PASSY, December 5, 1778.

DEAR SIR: It is necessary that you should be minutely informed of the minutest and most secret springs of action here, if it is possible. Yet the danger is so great of our letters being taken and getting into English newspapers, that it is very discouraging to a free correspond-

* MSS. Dep. of State; 1 Sparks' Dip. Rev., Corr. 527.

† 2 Sparks' Dip. Rev. Corr., 565.

ence. I will however, take all the precaution in my power to have the letters sunk; but if all these fail, and my letters become public, the world must take them as they find them, and I hope they will do more good upon the whole than harm.

This court and nation appear to me to be well convinced of the utility to their interests of the American alliance. But notwithstanding this, they appear to me to have too much diffidence of us, too much diffidence of the people of America, and too much reserve towards the commissioners here. I am not satisfied in the cause of this. Whether they think that the obstacles of language, religion, laws, customs, and manners are obstacles in the way of a perfect friendship which can not be removed, and therefore that they shall lose our connection as soon as Britain comes to her senses; or whether they are embarrassed by the conduct of Spain and are acting in this reserved manner, and with an appearance of irresolution in hopes of her coming in; or whether they have any prejudices against the personal characters of the commissioners, and are loth to be unreserved with them, for fear they shall communicate either indiscreetly or by design anything to the English or to anybody here, who might convey it to England; or whether all these motives together have a share in it, I know not. Thus much is certain, that ever since I have been here I have never seen any disposition in any minister of state to talk with any of the commissioners, either upon intelligence from Spain or England, upon the designs or negotiations of either, or any other court in Europe, or upon the conduct of the war by sea or land, or upon their own plans or designs of policy or war. If this reserve was ever thrown off to any one, I should think that putting it on to others had some personal motive. But it is exactly equal and alike to all three.

Each commissioner here, before I came, had his own set of friends, admirers, and dependents, both among the French and Americans. Two households united in some degree against one, very unjustly I fear, and very impolitically. But this set the friends of the two to injuring the third in conversation, and they can not forbear to do it, to this day. This dissension, I suspect, has made the ministry cautious, lest in the course of altercations improper use should be made of free communication. For my own part, however odd you may think it in me to say it, I have no friends, much less dependents, here, and am determined to have none, for I am convinced that competitions among these have done the evil. But I am determined, if I am continued here, to have free communication with the ministry upon these subjects, and to search them to the bottom. The ministry are candid men and sensible, and I am sure that some eclaircissements would do good.

However, I am reckoning without my host, for by the bruits which Mr. Deane's letters have scattered I may expect that the first vessel will bring my recall or removal to some other court. But wherever I

am, my heart will ever be anxious for the good of our country, and warm with friendship for her friends, among whom you will ever be reckoned in the foremost rank by your most obedient,

JOHN ADAMS.

A. Lee to the Committee of Foreign Affairs.*

PARIS, December 5, 1778.

GENTLEMEN: I had the honor of writing you on the 14th of April; May the 9th, 20th, and 23d; June the 1st, 9th, 15th, and 17th; July the 6th, 16th, 20th, 28th and 29th; August the 21st and 31st; September the 9th and 30th; October the 5th and 19th; November the 4th, 18th, and 20th, with various enclosures, among which were triplicates of Mr. Williams' accounts and quadruplates of the state of the Swiss militia.

From Lord Suffolk's speech on the address it appears that they have adopted a dernier plan for conducting the war against you, which, I am informed, is to burn and destroy everything they approach. The example of Colonel Butler is to be pursued on all the frontiers accessible to the Indians, to whom small bodies of regulars are to be joined. The fleet and armies are to lay waste the seacoast and its vicinities. Lord Suffolk is the mouth of the King of Great Britain, and his advisers Lords Bute and Mansfield, and Mr. Wedderburne. What he says may therefore be depended on as their resolution.

From the enclosed piece (copies of which have been sent from Holland) you will be able to judge of the nature and situation of the dispute in Holland. The friends to themselves and us are for augmenting their marine; the purchased advocates of England and the dependents of the Stadholder are for increasing their army.

To make them and other neutral nations feel the necessity of supporting the privileges of their pavillons against the English, this court has declared its determination to make prize of all goods belonging to the enemy found in neutral ships as long as the same is permitted to be done by the British cruisers with regard to the effects of France in the same situation. This is such a blow to their interests as, it is imagined, must rouse the Dutch to vigorous exertions against Great Britain in support of their privileges as common carriers.

The court of Spain has published their intention of admitting the sale of prizes made by the French and the entrance of all American vessels upon the footing of all other neutral nations.

The Empress of Russia has determined to take part with the King of Prussia in the German war, which the house of Austria seems resolved to support against their united forces. As Hanover and the other German princes are pledged to assist Prussia, our enemy can

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 528, with omissions and verbal changes.

hardly expect any aid from thence. Though it is, therefore, impossible to conceive how they can maintain the war in their very exhausted state and without one effectual ally, yet it is certain that they mean to try another campaign. [They are seeking revenge and will find ruin.]*

I send you some charts of the continent of America and of the islands, lately published, and reckoned extremely accurate, from which, perhaps, Congress may think proper to have others engraved for the use of the navy. They consist of three volumes folio, with a quarto volume of directions.

We are in daily expectation of the final pleasure of Congress on the several important matters relating to our missions.

I have the honor to be, etc.,

ARTHUR LEE.

J. Adams to the President of Congress.†

PASSY, December 6, 1778.

SIR: I have had the honor to enclose to Congress the speech at the opening of the British Parliament by several opportunities, but as it opens the intention of the enemy and warns us to be prepared for all the evils which are in their power to inflict and not in our power to prevent, I enclose it again in another form.

I have the honor to be, with the greatest respect,

JOHN ADAMS.

Gerard to the President of Congress.‡

[Translation.]

PHILADELPHIA, December 6, 1778.

SIR: The minister plenipotentiary of France, considering that it is of great importance for the interests of France and the United States of America to prevent, or to delay as much as possible, the repairs and consequently the activity of the enemy's ships, and that one of the most efficacious means would be to intercept the masts which they are obliged to bring from Halifax, is firmly persuaded that this subject has not escaped the consideration of Congress; but believing that it is for the interest of the king, his master, that his majesty should contribute to the measures which may effect this object, his intention is to offer a reward to the owners of privateers who shall take or destroy vessels loaded with masts proper for ships of the line or for frigates. This encouragement seemed necessary, in order to turn the efforts of privateers

* Passage in brackets omitted in Sparks' ed.

† MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 566.

‡ MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 569.

in this direction, considering the low price of this commodity in proportion to other cargoes, but the said minister did not wish to execute this plan without communicating it to Congress and before knowing its opinion on this subject.

GERARD.

J. Adams to Roger Sherman.*

PASSY, December 6, 1778.

DEAR SIR: From the long series of arduous services in which we have acted together, I have had experience enough of your accurate judgment in cases of difficulty to wish very often that I could have the benefit of it here. To me, it appears that there will be no more cordial friendship, nor for many years to come any long peace, between Great Britain and America, and therefore the French alliance is and will be an important barrier to us, and ought to be cultivated with perfect faith and much tenderness. But still it is a delicate and dangerous connection. There is danger to the simplicity of our manners and to the principles of our constitution, and there may be danger that too much will be demanded of us. There is danger that the people and their representatives may have too much timidity in their conduct towards this power, and that your ministers here may have too much diffidence of themselves and too much complaisance for the court. There is danger that French councils and emissaries and correspondents may have too much influence in our deliberations.

I hope that this court will not interfere, by attaching themselves to persons, parties, or measures in America. It would be ill policy, but no court is always directed by sound policy, and we can not be too much upon our guard. Some Americans will naturally endeavor to avail themselves of the aid of the French influence to raise their reputation, to extend their influence, to strengthen their parties, and, in short, to promote the purposes of private ambition and interests. But these things must be guarded against.

I wish for a letter from you as often as you can, and that you would believe me, your friend,

JOHN ADAMS.

Congress—Deane's Case—Izard's Charges.†

DECEMBER 7, 1778.

The President informed Congress that on Saturday last he received two letters from the honorable R. Izard; that, like the former, these letters contained matters of public and private nature, but as the

* 2 Sparks' Dip. Rev. Corr., 567.

† MSS. Dep. of State; printed secret journals of Congress. For prior proceedings see *supra*, Oct. 14, 15, 1778.

House have determined not to receive extracts of letters, he submitted them entire, being persuaded that it is Mr. Izard's desire that all public matters should be communicated to them.

Ordered, That the letters be received.

The letters were accordingly received and read, viz., one of July 25, and the other of September 12, 1778.

SIX O'CLOCK P. M.

Resolved, That Silas Deane, esq., report to Congress, in writing, as soon as may be, his agency for their affairs in Europe, together with any intelligence respecting their foreign affairs which he may judge proper.

That Mr. Deane be informed that if he hath anything to communicate to Congress in the interim of immediate importance he shall be heard to-morrow evening at 6 o'clock.

Mr. Deane, attending, was called in, and the foregoing resolutions were read to him.*

Franklin, Lee, and Adams to Dr. Price.[†]

PASSY, December 7, 1778.

SIR: By one of the late ships from America we had the pleasure of receiving from Congress an attested copy of their resolution of the 6th of October, conceived in these words:

"IN CONGRESS, October 6, 1778.

Resolved, That the honorable Benjamin Franklin, Arthur Lee, and John Adams, esquires, or any of them, be directed forthwith to apply to Dr. Price, and inform him that it is the desire of Congress to consider him as a citizen of the United States, and to receive his assistance in regulating their finances; that, if he shall think it expedient to remove with his family to America and afford such assistance, a generous provision shall be made for requiting his services.

"Extract from the minutes.

"CHARLES THOMSON, Secretary."

From a great respect to the character of Dr. Price we have much satisfaction in communicating this resolution. We request your answer as soon as convenient. If it should be in the affirmative, you may depend upon us to discharge the expenses of your journey and voyage

* For further proceedings see *infra*, Dec. 22, 1778.

† 7 J. Adams' Works, 71.

and for every assistance in our power to make your passage agreeable, as well as your reception and accommodation in our country.

We have the honor to be, with the highest esteem and respect, sir, your most obedient and most humble servants,

B. FRANKLIN.

ARTHUR LEE.

JOHN ADAMS.*

Memorial presented by the Duc de la Vauguyon, Ambassador of France, to the States-General of the United Provinces.[†]

THE HAGUE, December 7, 1778.

HIGH AND MIGHTY LORDS: The conviction which the king, my master, has had that their high mightinesses, animated with a desire to perpetuate the perfect harmony which subsists between France and the States-General, would conform themselves scrupulously, in existing circumstances, to the principles of the most absolute neutrality, has induced his majesty to include the United Provinces in the order that he made in the month of July last concerning the commerce and navigation of neutrals. His majesty has less room to doubt of the perseverance of their high mightinesses in these principles, because they have given him repeated assurances, and because they are the basis and most solid guaranty of the repose and prosperity of the republic. His majesty, however, thinks he ought to procure, in this respect, an entire certainty; and it is with this view that he has directed me to demand of your high mightinesses an explanation, clear and precise, of your final determination, and to declare to you that he will decide according to your answer to maintain or annul, so far as concerns the subjects of your high mightinesses, the orders which he has already given.

To make better known to your high mightinesses the views and intentions of the king, my master, I have the honor to observe to you that his majesty flatters himself that you will procure to the flag of the United Provinces all the freedom which belongs to it as a consequence of their independence, and to their commerce all the integrity which the law of nations and treaties secure to it. The least derogation from these principles would manifest a partiality, the effect of which would

* In the Life of Arthur Lee a slight mistake is made respecting that gentleman's agency in this case of Dr. Price. The author confounds the official notification by the commissioners of the action of Congress, the draft of which is in Mr. Adams' handwriting, with a private letter accompanying it, written by Mr. Lee, to urge Dr. Price's acceptance of the invitation. The private answer of Dr. Price, giving reasons for declining the proposals, is to be found in that work, whilst the former reply, transmitted to Congress through the hands of Dr. Franklin, is inserted in Mr. Sparks' edition of the Writings of Franklin; Life of Arthur Lee, by Richard Henry Lee, vol. 1, pp. 148, 149; Works of Franklin, vol. 8, p. 354, note. Note to 7 J. Adams' Works, 71.

† MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 248.

impose on him the necessity of suspending, not only the advantages that his majesty has insured to your flag by his order in favor of neutrals, but also the material and gratuitous favors which the commerce of the United Provinces enjoys in the ports of his kingdom, without any other consideration than the good will and affection of his majesty for your high mightinesses.

DUC DE LA VAUGUYON.

Gerard to the President of Congress.*

[Translation.]

PHILADELPHIA, December 7, 1778.

SIR: I have had the honor of explaining to you the motives of my perplexity with regard to transmitting to my court some ideas respecting certain persons strongly suspected of being emissaries of the court of London, as well as concerning the doctrine of the liberty which it is pretended the United States have preserved of treating with this power separately from their ally, so long as Great Britain has not declared war upon the king, my master. I have expressed to you how far it is from my character to pay regard to public rumors and to the reports of any individuals in a matter as important as it is delicate, and the desire which I feel that Congress would be pleased to furnish me with the means of placing my court, and by its means all the present and future friends of the United States in Europe, on their guard against the impressions which these ideas might produce. They appeared to me particularly dangerous in relation to England, where they would nourish the hope of sowing domestic divisions in the bosom of the United States, and of separating them from their ally by annulling also the treaties concluded with him. It seems, in fact, that as long as this double hope shall continue, England will not think seriously of acknowledging your independence on the footing expressed in the treaty of Paris. Your zeal, sir, for your country and for the maintenance of the harmony so happily established is too well known for me not to hope that you will be pleased to lay before Congress this subject, which my solicitude for whatever concerns the maintenance of the reputation of the alliance has caused me to regard as very important.

I am persuaded, sir, that you will at the same time have the goodness to inform Congress of the proof of firmness and of attachment to the interests of the United States, to the common cause, and to the alliance which the king, my master, has given in rejecting the overtures which the court of London has made through Spain.

I have the honor to be, with sentiments of respect, etc.,

GERARD.

*MSS, Dep. of State; 5 Sparks' Dip. Rev. Corr., 567.

To the memorial respecting masts an answer was returned on the 16th. And in answer to the above letter Congress passed a resolution on the 14th of January, 1779, as follows :

"Whereas it has been represented to this House by M. Gerard, minister plenipotentiary of France, that it is pretended that the United States have preserved the liberty of treating with Great Britain separately from their ally, as long as Great Britain shall not have declared war against the king, his master : Therefore,

"Resolved, unanimously, That, as neither France nor these United States may of right, so these United States will not conclude either truce or peace with the common enemy without the formal consent of their ally first obtained, and that any matters or things which may be insinuated or asserted to the contrary thereof tend to the injury and dishonor of the said States."

Lovell to Franklin.*

PHILADELPHIA, December 8, 1778.

SIR : By Mr. Cummins, on the 28th of last month, I forwarded several papers of importance, triplicates of which Mr. Bromfield, the bearer of this, will deliver. But an accident then took place, obliging me to hold back a letter which I had written to you. Time was wanting in which to write another, the vessel having fallen down to Reedy Island and the express being mounted. My letter was chiefly on the circumstances of an intended plan of operations, which was enclosed, but detained for alterations to be made in Congress.

Our only important struggle now is with our currency. We shall be able at least to keep it from growing worse; but we want the aid of skillful financiers and of moneyed men to bring about any considerable appreciation, as you will more clearly perceive by one of the papers to be herewith delivered.

I am, sir, etc.,

JAMES LOVELL,
For the Committee of Foreign Affairs.

J. Adams to the President of Congress.†

PASSY, December 8, 1778.

SIR : I have the honor to enclose to Congress one other copy of the speech at the opening of Parliament, together with the debates in consequence of it.

* MSS. Dep. of State; 2 Sparks' Dip. Rev. Corr., 47.

† MSS. Dept. of State; 2 Sparks' Dip. Rev. Corr., 567, with verbal changes.

The hints in those debates, especially those given out by Lord Suffolk, are confirmed by the general strain of intelligence from London. Letters from persons who are supposed to know announce the determination of the cabinet to be that Clinton and Byron, with their fleet and army, shall ravage the coast and bombard and pillage the towns; that their army in Canada shall be re-enforced; and that parties of regulars, with such tories and Indians as they can persuade to join them, shall ravage, burn, and massacre on the frontiers of Massachusetts Bay, New York, New Jersey, Pennsylvania, Virginia, and the Carolinas.

These magnificent menaces we know it is not in their power to execute entirely, yet we may depend they will do as much as they can. They will neither acknowledge our independence, nor withdraw their fleets and armies; nor shall we get rid of them but by destroying them, or making them prisoners, until the nation is so exhausted and their credit so sunk that the minister can raise no more money.

It has been usual to consider this as a ministerial war, but I have ever thought they would some time or other discover it to be a national war. The few men of the nation who think seriously of the business see clearly, in the long train of consequences of American independence, the loss of their West India islands, a great part of their East India trade, the total loss of Canada, Nova Scotia, the Floridas, all the American fisheries, a diminution of their naval power, as well as national bankruptcy and a revolution in their government in favor of arbitrary power. And the nation in general has a confused dread upon its spirits of all these things.

The inference they draw from all this is to go on with the war and make it more cruel, which is the way, in the opinion of impartial persons, to make all their gloomy visions realities; whereas the only way to prevent them is to make peace now, before a total alteration takes place on both sides. However, all we can do is to be prepared for the worst they can do.

I have the honor to be, with the greatest respect, etc.

JOHN ADAMS.

Gerard to the President of Congress.*

[Translation.]

PHILADELPHIA, December 14, 1778.

SIR: The minister plenipotentiary of France has the honor to remind Congress that they were pleased to order in Virginia the purchase of eighteen thousand barrels of flour to complete the quantity of provisions destined for the fleet of his most Christian majesty, but the undersigned being informed of the scarcity of this article, has confined himself to ten or twelve thousand. Information since received from Virginia causing

* 5 Sparks' Dip. Rev. Corr, 571.

him to fear that the flour of the current year has a disagreeable taste, and that, consequently, the aforesaid quantity can not be furnished of a quality suitable for bearing the climate of the islands, the undersigned presumes that a part of it may be replaced by rice taken from South Carolina, where he is informed this article abounds.

It is from these considerations that the undersigned minister takes the liberty to request Congress to take the measures necessary in order that six thousand barrels of rice may be bought and exported from South Carolina. The said minister being resolved to employ American citizens in these kinds of purchases, as he has promised, proposes to intrust this commission to Mr. Gervais.

GERARD.

H. Laurens to Congress.*

DECEMBER 16, 1778.

HONORABLE GENTLEMEN: If consciousness of having faithfully discharged my duty from the moment Congress were pleased to confer on me the presidency to my last act of resigning the chair enhances the value of the acknowledgments with which after mature deliberation you have been pleased to honor me, the former must be my true support. Your testimonial will transmit honor to my children.

I entreat you, gentlemen, accept my most grateful thanks, and suffer me to repeat that I will persevere in measures for the public good with unabated ardor.

I have the honor to be, with the highest respect, and under a great sense of obligation, your faithful friend and obedient humble servant,

HENRY LAURENS.

A. Lee to Florida Blanca.†

PARIS, December 17, 1778.

SIR: I have the honor of enclosing to your excellency a true copy of a proclamation and manifesto lately issued in America by the British commissioners. The plan of desolation and cruelty announced in it has been approved in Parliament by one of His Britannic Majesty's principal secretaries of state, the Earl of Suffolk; and a majority in both Houses of Parliament have given their sanction to the manifesto itself by refusing to disclaim it. Upon these grounds it may justly be considered the act of the nation.

The intentions of Great Britain, derogatory at once of all the sacred rights of humanity and of the honor of God and of the established laws of civilized nations, are thus declared in the manifesto: "The

* MSS. Dep. of State.

† 1 Sparks' Dip. Rev. Corr., 529. This letter was forwarded to Count de Florida Blanca through the agency of Count d'Aranda, Spanish ambassador in France.—SPARKS.

policy, as well as the benevolence of Great Britain, have thus far checked the *extremes of war* when they tended to distress a people still considered as our fellow subjects and to *desolate* a country shortly to become again a source of mutual advantage. But when that country professes the unnatural design not only of estranging herself from us, but of mortgaging herself and her resources to our enemy, the whole contest is changed, and the question is how far Great Britain may, by every means in her power, destroy or render useless a connection contrived for her ruin and for the aggrandizement of France. Under such circumstances the laws of self-preservation must direct the conduct of Great Britain; and if the British Colonies are to become an accession to France, will direct her to render that acquisition of as little avail as possible to her enemy."

The pretext here alleged for carrying war to all extremities, which the laws of humanity and of nations forbid, and of *desolating* merely for the purposes of desolation, is that the country is to be monopolized by France. That this is merely a pretext is manifest from the treaty itself, on which they ground it, in which it is declared that the United States are at liberty to make the same treaty with all nations.

Your excellency knows, too, how unjust this imputation is in our most secret transactions. By one of those strange absurdities into which men, blinded by bad passions, are often betrayed, they denounce this desolation against the people at large, who they in the same breath assert have not ratified the treaty. Thus, if we are to credit their own assertions, the ground of their rage is pretended and the objects of it innocent.

It is therefore most clear that the threatened cruelties are not out of policy, but out of revenge. And as nothing is more odious than this spirit, nothing more dangerous to all that is deemed dear and sacred among men, than an open avowal of such a principle and an exercise of the barbarities which it suggests, such a conduct ought to arm all nations against a people whose proceedings thus proclaim them to be *hostis humani generis*.

It is not that they can add to the cruelties they have already exercised; desolation and massacre have marked their steps wherever they could approach. The sending of those captives, whom they pretend now to be their fellow subjects, into perpetual slavery in Africa and India; the crowding of their captives into dungeons, where thousands perish by disease and famine; the compelling of others, by chains and stripes, to fight against their country and their relations; the burning of defenseless towns, and the exciting of the savages, by presents and bribes, to massacre defenseless frontier families, without distinction of age or sex, are extremities of cruelty already practiced, and which they can not exceed. But the recovery of what they called their rights, and the reduction of those who had renounced, as they alleged, a just supremacy, was then avowedly the object of the war. These cruelties were, it was pretended, incidental severities, and necessary to the attain-

ment of a just object. But now destruction alone is the object. It is not profit to themselves, but injuries to others, which they are pursuing. Desolation for the pleasure of destroying is their only purpose. They will sacrifice to disappointed vengeance what their injustice lost and their power can not regain.

There can not be a greater violation of those laws which bind civilized nations together, which are the general property, and which distinguish their wars from those of savages and barbarians, than this manifesto. All civilized nations are called upon, as well by their own interests as those of humanity, to vindicate its violated laws. Your excellency will therefore permit me to hope that so daring and dangerous a procedure will call forth a declaration from the King of Spain, whose pre-eminent character among princes for piety, wisdom, and honor will render him a fit avenger of the common cause of mankind. It is not America only that is wronged by this savage proclamation, but the feelings of humanity, the dictates of religion, the laws of God and of nations.

Your excellency will also give me leave to request that this representation may be laid before his majesty, and enforced with such arguments as your excellency's greater knowledge and the favor you have had the goodness to manifest for our just cause may suggest.

I have the honor to be, your excellency's very humble servant,

ARTHUR LEE.

* Dumas to the Commissioners at Paris.

THE HAGUE, December 18, 1778.

GENTLEMEN: I have seen our friend. There are two committees at work; one for the new remonstrances occasioned by the English, the other on the answer to be made to the memorial of the French ambassador.

December 19 (forenoon).—The admiralty, it was said, would not be in favor of an answer till next week; but measures were taken to make them pass one this morning, in which were *verba preterea que nihil*; there was nothing changed in the restriction of convoy as to naval provisions. The ambassador having been notified of it, sent to-day, early in the morning, to the grand pensionary a note so energetic, that it will be difficult to avoid giving a precise answer, yes or no, which will save or lose to the Seven Provinces the commerce of France.

December 19 (evening).—In spite of the note of the ambassador, the English party has prevailed in the provincial assembly, and all except Amsterdam have adopted by a majority the opinion of the admiralty. Thereupon Amsterdam delivered her protest, in which she confirmed her former protest against the resolution of the 18th of November. She declared further that she held herself irresponsible and discharged of

all injurious consequences to the republic which the unsatisfactory answers they had given France might have. Our friend has caused me to read this protest, which is moderate, but energetic.

December 22.—I have a copy of the resolution and protest. I know on good authority that the court of London has declared that it is no better satisfied with the resolution adopted on the 18th of November. Thus those who have wished to be wholly subservient to that court are very badly paid for their complaisance. The above resolution, adopted by the majority of the States of Holland on the 19th of this month, has not yet been presented to the States-General. The assembly of Holland, which was to have separated this week, adjourned to Tuesday next. The deputies of the cities will depart on Thursday, to seek, it is said, new instructions for another answer, such as the ambassador can receive. Those of Amsterdam remain here, because they have no need of an *ad referendum*.

December 24.—The British court has communicated to the republic its order, which declares liable to seizure neutral ships carrying to France munitions of war, military and naval. This order is directly contrary to the resolution of the 18th of November, by which the States refuse to permit this article to be put in question, which treaties secure to them.

I have the honor to be, etc.,

DUMAS.

The King of France to Congress.*

[Translation.]

VERY DEAR AND GREAT FRIENDS AND ALLIES: We do not delay informing you of the birth of the princess, to whom the queen, our very dear consort, has just happily given birth. Our confidence in your friendship does not permit us to doubt your interest in this event, nor your participation in the satisfaction which we derive from this first fruit of the divine blessing on our marriage.

The interest that we take in the prosperity of your Republic is our warrant for the pleasure which we have in repeating to you the assurances of our esteem and of our constant affection. Moreover, we pray God that he may keep you, very dear and great friends and allies, under his holy and worthy protection.

LOUIS.

Written at Versailles, December 19, 1778.†

* 5 Sparks' Dip. Rev. Corr., 590.

† This letter being read, the President, with a committee consisting of one member from each State, was immediately to wait upon the minister, and in the name of the United States to congratulate him upon the birth of the princess. A committee was also appointed to prepare the draft of an answer to his Majesty's letter.

Deane to the President of Congress.*

PHILADELPHIA, December 21, 1788.

SIR: In obedience to the orders of Congress of the 7th inst., † I have now committed to writing as particular an account of my agency of their affairs in Europe as my situation will permit me, and wait the pleasure of Congress to lay the same before them. And I have only to request that the letters written by the commissioners to Congress, or the committee of foreign affairs, during my agency or since, which refer thereto, ordered to be read in Congress, may be laid on their table when I shall have the honor to be admitted. I request this, from my not having the copies of those letters with me, to which the accounts I am directed to give refer; but recollecting the substance of them, I have judged it unnecessary to trouble Congress for copies of them at present, as it might cause some delay, and I am anxious to complete as soon as possible the information expected from me. I flatter myself that an early day will be fixed, and if I may take the liberty to mention one, I wish it may be to-morrow, if consistent with the business of Congress.

I have the honor to be, with the utmost respect, etc.,

SILAS DEANE.

Congress—Deane's Case.†

DECEMBER 22, 1778.

A letter of the 21st from Mr. S. Deane was read, informing Congress that he has committed to writing as particular an account of his agency of their affairs in Europe as his situation will permit him, and that he waits the pleasure of Congress to lay the same before them.

Ordered, That Mr. Deane be informed that Congress will meet this evening at 6 o'clock to receive his information, and that he attend at that time.

SIX O'CLOCK, P. M.

According to order, Mr. Deane, attending, was called in, and proceeded to read his written information; but not having time to finish,

Ordered, That he attend to-morrow at 10 o'clock and proceed in his information.

* MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 130.

† Resolved, That Silas Deane report to Congress in writing, as soon as may be, his agency of their affairs in Europe, together with any intelligence respecting their foreign affairs which he may judge proper.

That Mr. Deane be informed that if he has anything to communicate to Congress in the interim of immediate importance he shall be heard to-morrow evening at 6 o'clock.

Mr. Deane, attending, was called in, and the foregoing resolutions were read to him.

{ MSS. Dep. of State; printed *secret journals* of Congress. For prior proceedings see *supra*, December 7, 1778.

DECEMBER 23, 1778.

According to order, Mr. Deane attending, was called in, and proceeded in his information; and having gone through what he had written, he produced sundry letters and papers which he desired might be read. Upon a letter of April 7, from Dr. Franklin to him being read, Mr. Deane desired leave to say something in explanation of the last clause of the said letter, which respects a negotiator "who, as the letter mentions, is gone back apparently much chagrined at his little success, and in which Dr. Franklin says he has promised him faithfully that, since his propositions could not be accepted, they should be buried in oblivion; and therefore earnestly desires that Mr. Deane would put that paper immediately in the fire on the receipt of the letter, without taking or suffering to be taken any copy of it or communicating its contents."

As he was proceeding to explain this matter, a motion was made that Mr. Deane withdraw.

Mr. Deane accordingly withdrew.

A motion was then made that Mr. Deane be called in and informed that if he has anything further to report he lay it before Congress in writing.

In lieu of which it was moved, as an amendment, that Mr. Deane be permitted to proceed in his verbal explanation referred to, and that it afterwards be reduced to writing, if Congress shall judge it necessary.

The amendment being received, a division was called for, and on the question to agree to the first clause, the yeas and nays being required by Mr. Ellery,

New Hampshire	{ Mr. Whipple	Aye.	{ Aye.
	Mr. Frost	Aye.	
Massachusetts Bay	{ Mr. Adams	Aye.	{ Aye.
	Mr. Gerry	Aye.	
Rhode Island	{ Mr. Lovell	Aye.	{ Aye.
	Mr. Holton	Aye.	
Connecticut	{ Mr. Ellery	No.	{ Di- vided.
	Mr. Collins	Aye.	
New York	{ Mr. Dyer	Aye.	{ Aye.
	Mr. Ellsworth	Aye.	
New Jersey	{ Mr. Root	Aye.	{ Aye.
	Mr. Jay	Aye.	
Pennsylvania	{ Mr. Duane	Aye.	{ Aye.
	Mr. Witherspoon	Aye.	
Delaware	{ Mr. Fell	Aye.	{ Aye.
	Mr. Roberdeau	Aye.	
Virginia	{ Mr. McKeon	Aye.	{ Aye.
	Mr. F. L. Lee	Aye.	
North Carolina	{ Mr. M. Smith	No.	{ Aye.
	Mr. Griffin	Aye.	
South Carolina	{ Mr. Penn	Aye.	{ Aye.
	Mr. Williams	Aye.	
Georgia	{ Mr. Hill	Aye.	{ Aye.
	Mr. Burke	Aye.	
So it was resolved in the affirmative.	{ Mr. Laurens	No.	{ Aye.
	Mr. Drayton	Aye.	
Mr. Hutson	{ Mr. Langworthy	Aye.	{ Aye.
	Mr. Roberdeau	Aye.	

On the question to agree to the second clause, the yeas and nays being required by Mr. Ellery,

New Hampshire	{ Mr. Whipple	Aye.	{ Aye.
	{ Mr. Frost	Aye.	}
Massachusetts Bay	{ Mr. S. Adams	Aye.	{ Aye.
	{ Mr. Gerry	Aye.	
	{ Mr. Lovell	Aye.	{ Aye.
	{ Mr. Holton	Aye.	
Rhode Island	{ Mr. Ellery	Aye.	{ Aye.
	{ Mr. Collins	Aye.	
Connecticut	{ Mr. Dyer	Aye.	{ Aye.
	{ Mr. Ellsworth	Aye.	
	{ Mr. Root	Aye.	
New York	{ Mr. Jay	Aye.	{ Aye.
	{ Mr. Duane	Aye.	
New Jersey	{ Mr. Witherspoon	Aye.	{ Aye.
	{ Mr. Fell	Aye.	
Pennsylvania	Mr. Roberdeau	Aye.	Aye.
Delaware	Mr. McKean	Aye.	Aye.
Virginia	{ Mr. F. L. Lee	Aye.	{ Aye.
	{ Mr. M. Smith	Aye.	
	{ Mr. Griffin	No.	
North Carolina	{ Mr. Penn	Aye.	{ Aye.
	{ Mr. Williams	Aye.	
	{ Mr. Hill	Aye.	{ Aye.
	{ Mr. Burke	Aye.	
South Carolina	{ Mr. Laurens	Aye.	{ Aye.
	{ Mr. Drayton	Aye.	
	{ Mr. Hutson	Aye.	
Georgia	Mr. Langworthy	No.	No.

So it was resolved in the affirmative.*

Rutledge to Jay.†

CHARLESTON, December 25, 1778.

MY DEAR JAY: It is a long time since we have had any correspondence, but I see no reason why it should be longer, when we have anything to say and leisure to say it in. Such is just my situation, for it is Christmas day, and all the world (*i. e.*, my clients) being either at their devotions or their amusements, I have time to tell you, and I fear with some reason (as it comes north about), that a damned infamous cabal is forming against our commander-in-chief, and that whenever they shall find themselves strong enough they will strike an important blow.

I give you this hint that you may be on your guard, and I know you will excuse me for doing so when you recollect that there are some men of our acquaintance who are in possession of all the qualities of the devil, his cunning not excepted. Recollect the indirect attempts that were repeatedly made against the command and reputation of poor Schuyler, and the fatal stab that was at last aimed at both, and

* For subsequent proceedings see *infra*, December 31, 1778.

† 2 Jay's Life, 25; 1 Corr. and Pub. Papers of John Jay, 183.

let us be taught how necessary it is to oppose a cabal in its infancy. Were it in my power I would stifle it in its birth. Conway, the * * * , and * * * * * are said to be at the bottom of this, besides an abundance of snakes that are concealed in the grass. If these are not encouraged to come forward they will continue where they are; but if the former are permitted to bask in the sunshine of congressional favor, the latter will soon spread themselves abroad, and an extended field will be immediately occupied by the factious and the ambitious. The fate of America will then be like the fate of most of the republics of antiquity, where the designing have supplanted the virtuous, and the worthy have been sacrificed to the views of the wicked. Indeed, my friend, if the Congress do not embrace every opportunity to extinguish that spirit of cabal and unworthy ambition, it will finally be more essentially injurious to the well-being of this continent than the sword of Sir Harry and his whole army. I view the body of which we were for a long time members as possessing in a very eminent degree the powers of good and evil. It depends on those who manage the machine to determine its object. I hear you have returned to Congress, and I hope you will have your full share in the management. I do not know what gentleman we shall send from this State. We have some fine plants, nay, saplings, that will do wondrous well in a few years, but are too tender at present to bear up the weight of this continent. Were it now to be imposed upon them it might check their growth, etc., as they are the production of a southern clime; it is possible they might be blighted by a northern wind.

When you write me let me know how Robert R. Livingston is. Remember me to him, for I esteem him highly. God bless you, my dear Jay, and believe me, with great sincerity,

Your affectionate friend,

EDWARD RUTLEDGE.

Dumas to the Committee of Foreign Affairs.*

THE HAGUE, December 25, 1778.

GENTLEMEN: Your friends here do all that they can to bring about future connections between the two republics. The phrase that I have underlined in the declaration† expresses nothing else than the authentic information which the city of Amsterdam has of the disposition by which a majority is influenced in the republic. See in it then only the wish of the city that your virtuous perseverance in a union on which alone depends your sovereignty may frustrate this influence. It can do nothing against you without unanimity; but without this same

* MSS. Dep. of State; 5 Sparks' Dip. Rev. Corr., 249.

† This declaration is missing.

unanimity all the good will of the city can at the present time do nothing more for you, as to the conclusion of a treaty of amity and commerce, than project it, in order to have it ready when it shall be able to propose it with some appearance of success. A copy of the memorial presented on the 7th of December by the French minister to their high mightinesses was sent to me by himself on the 8th to be communicated to you.

They have sent me from Amsterdam, with the same intent, a copy of the protest of the city against the resolution adopted by the majority for refusing convoy to naval articles. This important paper is very long (20 pages in folio). Expecting that I may be able to send it to you translated and copied, I will transcribe for you, gentlemen, what a good Dutch citizen, to whom I lent it, thought of it: "It is scarce possible for me," said he, "to paint the vexation with which I have read the resolve adopted by the majority. A document at once puerile, jesuitical, and made unintelligible, as I think from design, to conceal the palpable contradictions and absurdities of which it is full. I can compare it to nothing better than to a serpent, which hides its ugly head under the tortuous folds of its horrible body. The protest, on the contrary, is the finest document of its kind that I remember to have seen. As precise as it is luminous, it presents at once, and gathers, so to speak, into a single focus all the reasons for the opposite sentiment in a manner to strike all eyes which are not voluntarily closed to its light. But we live in the midst of a people who do not hesitate to call white black and black white, provided it favors the party of the Bo-reases of England and of our country." The States of Holland assembled yesterday. They have named two committees to deliberate, the one on the answer to be made to the court of France, the other on the new complaints to which the English have just given cause. We shall not know the result till next week.

In the circumstances, gentlemen, in which you see things, it will be necessary that I should be provided with a letter of credence from your honorable Congress like, *mutatis mutandis*, that which I received from it under date from the 9th to the 12th of December, 1775, and of which I made use at the court of France in April, 1776; with this difference, that the other being unlimited and accommodated to existing circumstances, that which I now ask for should be limited to this republic, and conformable to the present situation and dignity of the American Confederation, to the end that I may be able to produce it to whomever it shall be proper, and to labor with all requisite credit and weight, in concert with your friends in this country, on the proposal of amity and commerce between the two republics. Such a paper becomes every day more necessary; and I dare say that it will be necessary to the United States that I should be provided with it as soon as possible so as not to give it publicity, which everywhere, except in France and Spain, seems to have no good effect; but to continue, as I have done

hitherto, to increase and strengthen your friends here and to hinder your enemies from realizing, at the expense of this republic, the fable of the monkey who drew his chestnuts from the fire with the cat's paw—*Malo esse quam videri* ought to be the constant maxim of all those who are called to serve so fine a cause as that of the American Union. It is certainly mine. It is this that dictates the precise answer which I have yet to give to what you had the goodness to write concerning me in the letter with which you honored me under date of the 14th of May of this year, to wit: "We shall write particularly to the gentlemen at Paris respecting the injuries you have received from our enemies, and shall instruct them to pay the strictest attention to our engagements made to you at the commencement of our correspondence."

These gentlemen, in sending me the letter, wrote me nothing on this business, and I have not drawn on them for more than I had agreed with Mr. Deane, towards the end of the past year, to be necessary for me to live here in a style of mediocrity, and with much economy, namely, two hundred louis d'ors this year. I shall continue on this footing, drawing always a hundred louis d'ors every six months till it please your honorable Congress to fix my stipend. In expectation that the situation of affairs will permit the United States to observe in respect to me or, in case of my death, in respect to my daughter, the wise magnanimity that befits sovereigns, I will serve them with the same zeal as if they gave me double, and with more inward satisfaction than if any other power should give me tenfold. I can assure you, gentlemen, that from the beginning I have done for the whole American people as I would do for a friend in danger. For the rest, I am well satisfied and grateful for the obliging things you have written me on this subject, and I do not ask new assurances. It is sufficient for me that you know my true sentiments, and that you will have the goodness to make them known to the honorable Congress.

I have the honor to be, etc.,

DUMAS.

A. Lee to Schulenberg.*

PARIS, December 25, 1778.

SIR: I had the honor of receiving your excellency's favor of the 1st. I am extremely sorry for having troubled you with a representation which seems to have given offense instead of obtaining redress. Neither the character of a merchant nor that of all the merchants of Europe can weigh against the evidence of one's senses. I do assure your excellency upon my honor that the musket which is the specimen of those sent for the best Prussian arms and which have cost me five livres apiece more than the best arms in France is one of the worst I ever

* 1 Sparks' Dip. Rev. Corr., 532.

beheld. I have seen most of the troops in Europe, and I never saw such a musket in a soldier's hand. It has this remarkable in it, that it is neither of the old nor the new model; but seems to have been a barrel spoiled in attempting to new model it, and this put into a stock of such wood and of such fashion that nothing can be imagined worse. There is no mark upon it of its having been examined. In short, a mistake between the new and the old model is out of the question.

But your excellency will give me leave to observe that if my demand was not explicit, it is a little surprising that the house of Splitterger, in the correspondence that passed between them and Mr. Grand before the order was executed, did not ask an explanation whether the old or the new model was meant. They knew, though we did not, that there were different kinds of arms of the Prussian make, and therefore that a mistake might happen. As to myself, I had seen the troops at Berlin and the arsenal furnished with arms of the new model. I had conversed with sundry officers upon the preference due to arms of the Prussian make, and never found any one who by that term did not understand those of the new model. Not knowing, therefore, that there was any possibility of mistake, I did not conceive I could be more explicit. Upon the whole, instead of the best arms in Europe which I promised I sent the worst, if the rest are like the specimen sent me.

I hope your excellency will pardon me for having given you the pain of reading one letter on this subject, and I should not have added a second, but that there was a sort of censure thrown upon me, which I most assuredly did not deserve. I should have thought myself censurable if I had concealed from your excellency a proceeding on the part of those gentlemen which appeared so flagrant to me. You thought I was alone to blame, in which I can not in any degree whatsoever concur.

I have the honor of enclosing to your excellency a copy of a manifesto, which the avowedly savage intentions of our enemies have compelled Congress to make. The previous resolution will show your excellency with what reluctance Congress has adopted retaliation. As long as it was possible to impute the barbarities committed to the unauthorized malignity of individuals they entreated forbearance. But when a solemn avowal on the part of his Britannic majesty's commissioners of their determination to exercise the extremes of war, and to desolate for the sole purpose of destroying, had deprived them of the apology they had too generously made for the actions of their enemies, their duty to the people, to humanity, to the nations called from Congress this resolution of retaliation.

This conduct of our enemies will, like all their other follies and persecutions, knit more firmly our Confederation. The inhuman purpose of massacre and desolation, upon a pretext of our being mortgaged to France, which the very treaty to which they allude expressly contradicts, has armed every heart and hand against them. It has confirmed

the wavering, animated the timid, and exasperated the brave. The laws of nations are the common property of all civilized people. Our liberties, which *were* the objects of the war, are secure; we are *now* fighting the battles of humanity and of nations against the avowed and bitter enemies of both.

I have the honor to be, with the greatest respect, your excellency's, etc.,

ARTHUR LEE.

A. Lee to Florida Blanca.*

PARIS, December 27, 1778.

SIR: I have the honor of enclosing to your excellency a manifesto from Congress in answer to that of his Britannic majesty's commissioners. You have also enclosed a copy of a former resolution of Congress on this subject, from which it will appear how earnestly they have shunned this shocking extremity. As long as it was possible to impute the barbarities committed to the unauthorized intemperance of individuals, Congress exhorted the suffering people to lenity and forbearance. But when they became acts of authority, avowed and ordered, Congress must not only stand justified before God and man, but would have been culpable in the eyes of both had they longer withheld the order for retaliation. Permit me to hope that your excellency will represent these things to his majesty, and that they will produce an immediate declaration, which is most likely to arrest the sanguinary progress of our enemy and compel them to relinquish the devastation of our country for the defense of their own.

I have the honor to be, etc.,

ARTHUR LEE.

Deane to the President of Congress.†

PHILADELPHIA, December 30, 1778.

SIR: When I had the honor of waiting on Congress last I was informed that I should be favored with an opportunity of finishing my narrative without delay. I now take the liberty of applying to Congress, and to inform them that I am ready and wait their orders. I have received letters which I am desirous to communicate personally; they relate to parts of my narrative. My solicitude for a final issue of my affairs will, I trust, not appear unreasonable to Congress, when it is considered that a certain Mr. Thomas Paine, styling himself secretary for foreign affairs, and presuming to address the public in his official character, has thrown out in a late paper many insinuations injurious

* 1 Sparks' Dip. Rev. Corr., 533.

† MSS. Dep. of State; 1 Sparks' Dip. Rev. Corr., 131.

to my public character, and has avowed his intentions of laying before the public a number of interesting facts and materials relative to my conduct as one of the commissioners of these United States at the court of France.

I rely on the justice of Congress, and have the honor to be, etc.,

SILAS DEANE.

Congress*—Deane's Case.

DECEMBER 31, 1778.

A letter of the 30th from Mr. Deane was read, informing that he waits the orders of Congress, and that he has received letters of which he is desirous to communicate personally, which relate to parts of his narration.

Whereupon,

Ordered, That Mr. Deane be notified to attend immediately.

Mr. Deane, attending, was called in, and gave further information in writing; and having finished,

Ordered, That he withdraw into the next room.

Accordingly he withdrew; whereupon,

A motion was made that a day be now assigned for Mr. Deane to attend Congress, that such questions may be asked as the House shall think proper, to elucidate the subject of his narrative.

Question put.

Passed in the negative.

Ordered, That Mr. Deane be called in and informed that he has leave to withdraw, and that Congress will notify to him their future orders.

Mr. Deane, being called in, was informed of the foregoing order and withdrew.

Franklin to Dr. Priestley † (probably).

[NO DATE.]

You desire to know my opinion of what will probably be the end of this war, and whether our new establishments will not be thereby reduced again to deserts. I do not, for my part, apprehend much danger of so great an evil to us. I think we shall be able, with a little help, to defend ourselves, our possessions, and our liberties so long that England will be ruined by persisting in the wicked attempt to destroy them. I must, nevertheless, regret that ruin, and wish that her injustice and tyranny had not deserved it; and I sometimes flatter myself that, old as I am, I may possibly live to see my country settled in peace

* MSS. Dep. of State; printed secret journals.

See for prior proceedings *supra*, December 22, 1778.

† 6 Bigelow's Franklin, 223.

and prosperity, when Britain shall make no more a formidable figure among the powers of Europe.

You put me in mind of an apology for my conduct, which had been expected from me in answer to the abuses thrown upon me before the privy council. It was partly written, but the affairs of public importance I have been ever since engaged in prevented my finishing it. The injuries too that my country has suffered have absorbed private resentments, and made it appear trifling for an individual to trouble the world with his particular justification, when all his compatriots were stigmatized by the King and Parliament as being in every respect the worst of mankind. I am obliged to you, however, for the friendly part you have always taken in the defense of my character; and it is indeed no small argument in my favor that those who have known me most and longest still love me and trust me with their most important interests, of which my election into the Congress by the unanimous voice of the assembly or parliament of Pennsylvania the day after my arrival from England, and my present mission hither by the Congress itself, are instances incontestable. * * * I thank you for the account you give me of M. Vota's experiments. You judge rightly in supposing that I have not much time at present to consider philosophical matters, but as far as I understand it from your description, it is only another form of the Leyden phial, and explicable by the same principles. I must, however, own myself puzzled by one part of your account, viz, "and thus the electric force once excited may be kept alive years together," which, perhaps, is only a mistake. I have known it indeed to be continued many months in a phial hermetically sealed, and suppose it may be so preserved for ages; but though one may, by repeatedly touching the knob of a charged bottle with a small insulated plate like the upper one of the electrophore, draw an incredible number of sparks successively—that is, one after every touch, and those for a while not apparently different in magnitude—yet at length they will become small, and the charge be finally exhausted. But I am in the wrong to give any opinion till I have seen the experiment.

I like much your pasteboard machine, and I think it may, in some respects, be preferable to the very large glass ones constructed here. The Duc de Chaulnes has one, said, if I remember right, to be five feet in diameter. I saw it tried, but it happened not to be in order.

You inquire what is become of my son, the governor of New Jersey. As he adhered to the party of the king, his people took him prisoner and sent him under a guard into Connecticut, where he continues, but is allowed a district of some miles to ride about upon his parole of honor not to quit that country. I have with me here his son, a youth about seventeen, whom I brought with me partly to finish his education, having a great affection for him, and partly to have his assistance as a secretary, in which capacity he is very serviceable to me. I have also here with me my worthy nephew Mr. Williams, whom you ask after.

The ingenious Mr. Canton, our other fellow-traveler, I suppose you know is now no more.

As to the present state of our affairs, which you desire to be informed of, the English have long boasted much in their gazettes of their successes against us, but our latest advices are that they have been repulsed in their intended invasion of Pennsylvania, and driven back through New Jersey to New York with considerable loss in three engagements, so that the campaign will probably end pretty much as it began, leaving them only in possession of the islands which their naval strength secures to them; and we shall in the next campaign be much better provided with arms and ammunition for their entertainment, when our force is to consist of eighty-four battalions.

God bless you, my dear friend, and believe me, etc.,

B. FRANKLIN.

Dumas to the Committee of Foreign Affairs.*

THE HAGUE, January 1, 1779.

GENTLEMEN: On the 19th of December the grand pensionary of Holland, before going to the assembly of the States of Holland, received from the Due de la Vauguyon, ambassador of France, a note explanatory of the memorial presented to their high mightinesses the 7th, as follows:

"The king, determined to have perfect certainty of the final resolution of the states, flatters himself that their high mightinesses will explain themselves in a clear and precise manner upon the point of perfect neutrality, which his majesty is persuaded that they do not wish to swerve from. He expects that they will preserve to the flag of the United Provinces all the liberty that belongs to them in consequence of their independence, and to their commerce all the integrity that the law of nations secures to it and that treaties confirm to it. But this liberty will become illusory and this integrity violated if their high mightinesses do not maintain it by a suitable protection, and if they consent to deprive their subjects of convoy, without which they cannot enjoy in their full extent the rights which they have acquired and claim. A resolution, of whatever nature it be, whose effect should be to deprive them of a protection so legitimate, whether for all branches of their commerce in general or in particular for articles of naval stores of any kind, would be regarded, under present circumstances, as an act of partiality, derogatory to the principles of an absolute neutrality, and would inevitably produce the consequences mentioned in the memoir which has been sent to their high mightinesses. It is especially to this essential object, and with the further intention to observe a neutrality

*MSS Dep. of State; 5 Sparks' Dip. Rev. Corr., 252.

thus described, that the king asks of their high mightinesses an answer clear and precise."

The same morning, the States of Holland adopted by a majority the following answer, previously advised on the 16th by the admiralty.

"That their high mightinesses have always set, and will set, much value on a good understanding with his majesty, and that they would cultivate willingly his friendship and affection for this state by all means which ensure the independent repose of the republic, and contribute to their perfect neutrality in the existing differences between his majesty and the king of Great Britain. That their high mightinesses do not fear to declare with openness and candor to his majesty that their design is to adhere scrupulously to the said neutrality, in firm confidence that the two powers will be satisfied, and that they will permit to their high mightinesses the peaceable enjoyment of it. That the commerce and navigation of the republic, being one of its principal means of subsistence, its free exercise their high mightinesses have strongly at heart. Their high mightinesses flatter themselves also that the two powers are inclined and will be persuaded to leave to them the course which the law of nations and treaties guaranty, and that if any discussion takes place on this subject, it will be attributed solely to the moderation and caution of their high mightinesses, in compliance with the suggestions of prudence, if to measures adapted to the protection of their commerce and their free navigation, without distinction as to the property of the cargoes; and to the support of their neutrality they add others, intended to avoid all occasions of misunderstanding. That their high mightinesses are too firmly convinced of his majesty's justice to doubt that he will be satisfied with this candid exposition of the sentiments of their high mightinesses, or that he will continue to observe in his treatment of neutrals, and consequently of the subjects of their high mightinesses, the rules which his majesty has himself considered to be conformable to the law of nations; and that he will continue in the disposition on which the commerce at present existing between the subjects of both powers, to the mutual advantage of both parties, is founded."

The resolution adopting this answer was invalidated, at the same time, by the following protest:

"The deputies of the city of Amsterdam, adhering to their protest and note inserted on the 18th of November last against the resolution adopted the same day on the final remonstrance of the merchants of this country on the subject of the seizure of their vessels by the English and the carrying them into English ports, as is therein more fully detailed, have declared that they can not agree to the resolution of their noble and grand mightinesses adopted this day on the memorial presented to their high mightinesses by the Duc de la Vauguyon, wherein he demands the observance of an exact neutrality during the existence of the troubles with England in general, and the maintenance of the freedom

of the flag of the republic, as well as of the commerce and navigation of this country to the French ports in particular, unless in the mean time should be given by the said resolution the clear and precise answer demanded by the said memorial, and on which depends in great part the commerce of this country to the ports of France; declaring, also, that they would not be in any manner responsible for the evils that may come upon the commerce and navigation of the republic, as well from the present resolution as from that of the 18th of November last."

This has not hindered the States-General from adopting also the answer. On the 30th of December it was carried by the agent of their high mightinesses to the ambassador, who did not accept it, as not being such as the king demanded; on which they have determined to send it to M. de Berkenrode, at Paris, to endeavor to cause it to be accepted by his majesty.

On my return here on Tuesday evening I went to see our friend. Nothing has yet been done; but in spite of all that can be done to-morrow, said he, things will finally go well. He told me also that the credit of Sir Joseph Yorke with a certain great personage was manifest more and more, and that there was no longer room to doubt that the latter had secret engagements with the court of London.

I was the next day at the house of the French ambassador. Their high mightinesses had sent him their answer to the memorial, and he had sent it back as not admissible. He has in his pocket the declaration of the king, by which the subjects of the state are excluded from his order in favor of neutrals, and deprived of the privileges which they enjoy in the ports of the kingdom. It will be soon published. This affair will do as much good to the anti-English in these provinces as the taking of Bergen-opzoom did them harm thirty years ago. The time will come when they will be obliged to have recourse to the city of Amsterdam to remove the proscription, which too much complaisance to the court of London is drawing upon these provinces.

Late on Wednesday I went to see our friend. He could only give me one moment. The answer of the States-General to the memorial of the French ambassador is the same as that adopted by a majority of the States of Holland, excepting some additions which are not material. The deputies have not even consulted their respective provinces thereon. Another blow given to the constitution. One of the deputies, with whom I had some conversation, gave me as the only excuse: "*It is not the first time we have done it.*" I have seen a letter from an able hand in one of the provinces, wherein much censure and heavy reproaches are cast on this method of proceeding. Friesland can least of all dispense with the commerce of France.

January 2. There is to-day a grand concert at the *Hôtel de France*. The court is there. The ambassador does the reverse of what is practised at the theatre; he began with the farce and will finish with the tragedy. They flatter themselves here that he will not press matters,

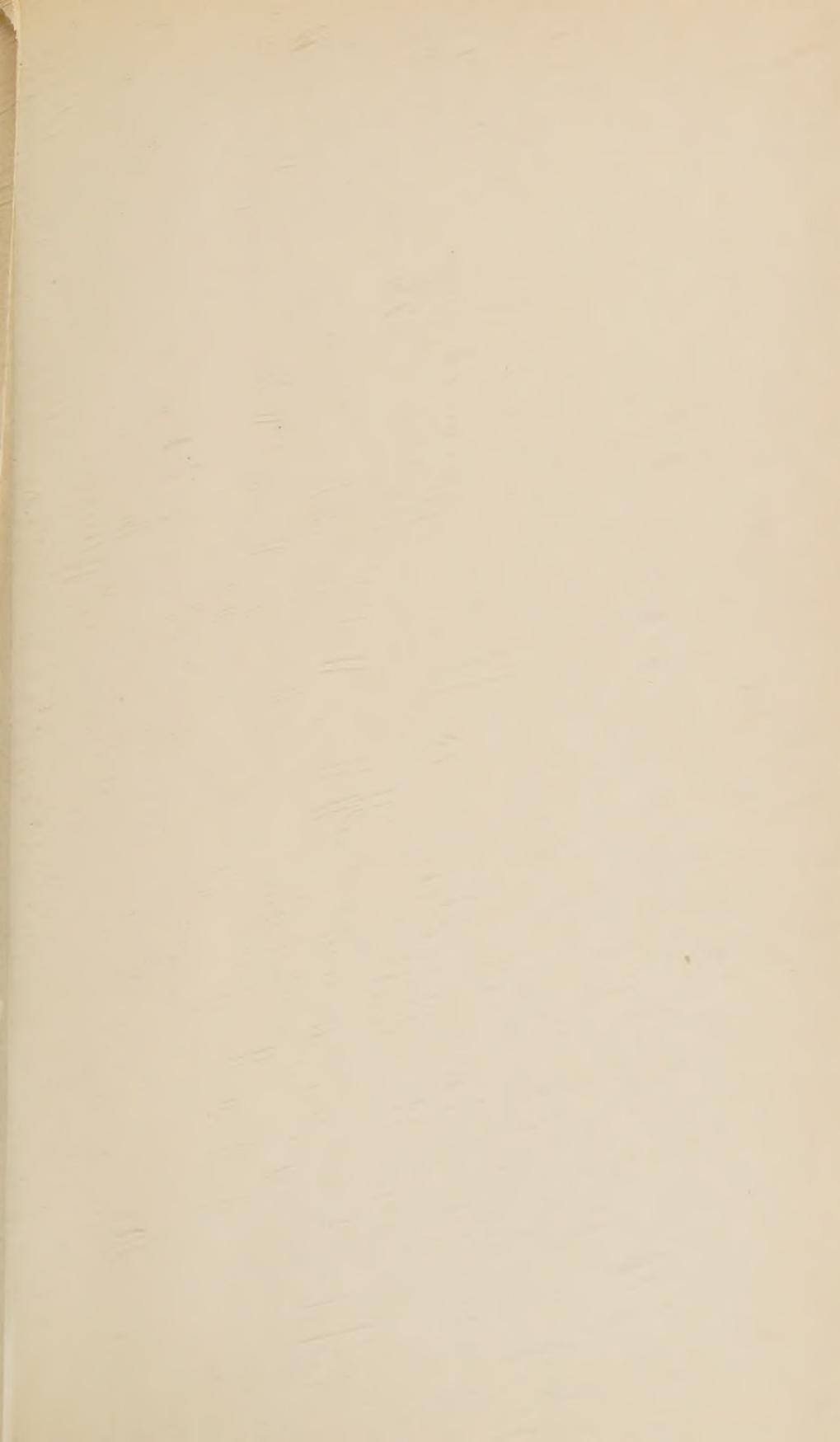
because they have given him to understand that they have convoked the admiralty to deliberate more fully on the convoys. But they do not say, what all the world knows, that they have sent the rejected answer to the ambassador of the republic at Paris to endeavor to have it accepted by the king. Labor lost.

Our friend is fortunate in all this. He has the finest part to perform, and he will perform it to his glory. He advances rapidly in the paths of former great men of the republic. On the other side, the firmness of Amsterdam is seconded very seasonably by the memorial.

I doubt not, gentlemen, but the result has made you see the importance of what has passed here, and how far my proceedings have been useful in the business to bring it to the point where it now is.

I have the honor to be, etc.,

DUMAS.



DISCARD

DISCARD

